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A CALENDAR OF CHARTERS AND OTHER WRITS RELATING TO LANDS OR BENEFICES IN SCOTLAND IN POSSESSION OF THE SOCIETY OF ANTIQUARIES OF SCOTLAND. BY MATTHEW LIVINGSTONE, F.S.A. Scot.

I do not feel that it is necessary to take a tone of apology in submitting a calendar or précis of charters and other legal and ecclesiastical documents which, from various sources—I presume mainly from the donations or bequests of members—have come into possession of this Society. It has become the fashion of late to depreciate not only the interest but the value of the information to be derived from the study of this class of our memorials of the past. One can indeed readily enough understand that to the majority of readers, the average charter is not particularly lively reading, is of no interest as a record of human character or feeling, and only rarely, and then by way of incidental allusion, concerns itself with the greater events of history or the motives of the actors therein. The same things might be said with greater force of monumental inscriptions of every kind, and of parish and other registers. But all this admitted, the more probably, because of these very defects, is the grave, dry, technical document a reliable statement of the transaction it records, the date when it took place, the persons who took part in it, their mutual relations of kinship or dependence, and the social conditions of the time so far as these are to any extent involved in the terms of the transaction itself. And that much said, the vindication of the place and use of the charter as containing many of at least the dry bones of history is surely complete, even as regards those countries, more fortunate than our own, where other MS. sources are abundant.

As regards Scotland, their importance as sources of information cannot be exaggerated. It is well known how many and irreparable are the gaps in the MS. materials for our history. Thanks to the depredations of our "auld enemies" of England, especially Edward I., Surrey,

and Cromwell, and also, though to a much smaller extent, to accidents for which we can impute no responsibility in that quarter, our national records proper, both of Church and State, for long and especially the earlier periods of our history can only be described as non-existent. Moreover, we have to lament our misfortune that, owing partly to defective legislation and partly to the loss or destruction of church and parish registers (where these existed) at the time of the Reformation, or otherwise, we are, up to a period well within the recollection of many now present, without the information, so valuable for the history of families and the ascertainment of rights, obtainable from these sources.

In the absence, then, of other authentic sources, particularly prior to the organisation of our land registers about three hundred years ago, the value of the many collections of charters in public repositories, or preserved in private hands and still largely unexamined, cannot be overestimated. They are the only resource still available to the student of genealogy, topography, and the tenure, use, and occupation of land. It is matter of surprise, therefore, that the Commission on Historical MSS. have recently determined to exclude from their reports all charters contained in the various collections laid open to their examination—in other words, to ignore the most (or only) authentic sources of information on these and related subjects. It is to be hoped that this decision may yet be reconsidered, and the publication of the substance of all charters and other deeds prior at least to the reign of Charles I. be resumed. As regards Scotland, the matter is one of very considerable importance; and the opportunities which the reports of the Commission, with the facilities for investigation and the guarantees of completeness and accuracy which the skill and acquirements of its members afford, should not be lost. The private investigator cannot in most cases hope to compete with the claims of a public commission, for to him many collections would be closed which would readily be thrown open to them.

The collection of which a calendar is now submitted to the members of this Society is not extensive, and is only part of the many original

legal or diplomatic MSS. in its possession, the remainder of which does not fall under the category to which I have confined myself. The charters (using the term in the larger sense as embracing a considerable variety of deeds relating to lands or benefices) amount in number to 154. As it is not large, so neither can it be said to be of any special importance, though many of the numbers are of a very interesting character. The value of all such collections is in a sense cumulative. For this it can only be claimed that it may fill a blank, supply a missing link, give a date, or make a correction, and thus form part of what, when all similar sources are exhausted, may prove an important addition to the MS. materials of our history. It is another stone added to the cairn. I do not propose to tax your patience by giving any detailed account of its contents. That is unnecessary, as I presume the calendar will form part of the next volume of the *Transactions*, and my object in these preliminary remarks is just to give a general description and refer to a few of the leading documents.

The dates range from 1358 to 1720, including 19 writs of the fifteenth, 64 of the sixteenth, 67 of the seventeenth, and 3 of the eighteenth centuries, No. 1 being an official extract of a charter by David II.

No. 2 is an indenture or contract of marriage between Andrew, son of Murdoch Glaystre of Lumgair in Kincardineshire, and Jonet Lychtoun, sister of Elen Lychtoun, wife of Gilbert Jonstoun of Balnedach in Aberdeenshire, or rather between Murdoch Glaystre and Gilbert Jonstoun, containing provisions with reference to the proposed marriage between these parties. It is interesting as an early specimen of the vernacular, and is followed by letters of sasine dated in 1432, and also in the vernacular, attesting the delivery of sasine to Andrew and his spouse of the lands of Hiltoun of Lumgair in fulfilment of the contract. With reference to this latter document, it may be remarked that the notarial instrument of sasine was just coming into use at this period, and this letter of sasine is one of the few remaining examples of an earlier practice by which sasine was directly attested by the bailie or

mandatory of the owner transferring the property. That itself had followed the still earlier practice of the bailie attaching his seal to the charter or conveyance itself, with or without any indorsation attesting the execution of his office. Other writs relating to these lands of Hiltoun of Lumgair will be found in the calendar.

Following these documents are two others dated in 1439, relating to a transaction between the abbot and convent of Holyrood and Sir Robert Logan of Lestalrig or Restalrig, by which certain claims by the abbot to lands occupied by Sir Robert on the south side of the Water of Leith are settled by reference. Both documents are curious, and, so far as I am aware, have not been printed.

Between fifty and sixty writs, sales, mortifications, sasines, and others record transactions relating to burghal property chiefly in Edinburgh and Leith, and will interest students in local topography—the localities named being, among others, the High Street, Cowgate, Liberton's Wynd, Bristo, Hieriggis, and various closes and vennels. One of these, dated in 1546, refers to the burning of Leith by the English in 1544, and the ruin which in that calamity had befallen a land or tenement belonging to the two secular chaplains of St Ninians, to the great diminution of their revenue; while another, an instrument of sasine dated in 1592, describes a piece of land beside the outer port of Holyrood House and adjoining on the east to the "foreyett toure" of the palace, on the south side of the vennel leading to the king's stables. The sasine proceeds on a charter granted by the king to Thomas Fentoun, one of his servitors. The charter is found in the Great Seal Register.

About thirty documents relate to ecclesiastical livings and the lands belonging to them, including lands belonging to the abbeys of Holyrood, Melrose, Dunfermline, Culross, Inchcolm, Holywood, and Scone, to the collegiate church of the Holy Trinity near Edinburgh, and to the dioceses of Ross and St Andrews, all before the Reformation; and to the abbeys of Paisley, Holywood, Newbattle, Kilwinning, and Melrose, and the bishoprics of Ross and Glasgow, after that event. Some of these correct the false impression so commonly entertained as to the

completeness and rapidity of the transition effected by the Act which abolished the old and introduced the new religion. We know well enough how meagre was the provision made for the reformed clergy, and what difficulties they had in securing payment of its pittances, and we correctly attribute that largely to the selfishness and rapacity of the lords and lairds. But we forget that for more than a generation, though in gradually diminishing numbers, many of the old clergy, secular and regular, continued in the more or less undisturbed possession of their parishes and "rookeries" and the profession and practice of the old faith. We have proof of that in some documents contained in this calendar. One is a charter, dated in 1582, by which the commendator and convent of the abbey of Culross grant a feu of certain lands belonging to the abbey. The charter is signed at the monastery by the commendator, Alexander Colville, and by four monks, probably all who were then in residence. Another is a tack, dated in December 1594, by the commendator and convent of Melrose of part of the abbey lands, and is signed by the commendator, James Douglas, by the king as patron, and by "dene Jhonne Watsoun," apparently the last survivor of the fraternity of that famous abbey, for he adds to his signature the almost pathetic words "only convent." He was probably one of the two persons of that name signing the tack No. 54.

These church documents include a transumpt dated in 1478, relating to an arrangement entered into between the religious houses of Dunfermline and Scone as to their respective rights under letters apostolic of Pope Honorius III. in the teinds of the mills on the water of Almond belonging to the town of Perth. The question is settled on the arbitrament of the abbots of Melrose and Dryburgh, and the result is that the monks of Dunfermline surrender the teinds to the canons of Scone on receiving yearly a payment of five silver marks for maintaining the lighting of the kirk of Dunfermline. They include also examples of presentations, letters of collation, mortifications of annual rents for the celebration of prayers for the dead, a commission by Cardinal Betoun for a report on the alienation of certain kirk lands before

granting papal confirmation, and feus and tacks of other kirk lands and teinds. Two contain a list of the canons of Glasgow in 1613 and 1635, and another those of the diocese of Ross in 1630.

In all cases of pre-Reformation documents to which we find the signatures of the monks attached, these signatures are fewer in number than one somehow expects, and are by no means suggestive of that skill in caligraphy with which we credit the monks of the Middle Ages. If anything, they seem to substantiate the charges made against the religious fraternities of the sixteenth century that the majority were grossly illiterate. The scarcity of signatures, however, may be explained either on the assumption that the remainder of the resident monks were unable to write their names, or that the numbers actually resident were fewer than we are generally led to believe. I have never seen more than twenty signatures attached to any such documents. The largest number in this collection is fourteen, attached to a feu-charter by the commendator and convent of Culross, dated in 1545.

Among the remaining writs we find a combined retour and letters of sasine of 1454-5 which is unusual in point of form, and gives a quaint and colloquial account in the vernacular of the proceedings before an assise in a question of disputed inheritance relating to lands which had belonged to Henry Munduyle, laird of Tynwald. As a rule the vocabulary of the writs (of which there are a good many specimens in the calendar) written in the vernacular is not so copious as in the literary survivals of the corresponding periods. Only here and there do we meet with words and phrases which have long dropped out of use, as where in the inquest just mentioned the assise are said, before giving their verdict, to have been "*riply* and *sadly* avisit," i.e. ripely and solidly or surely advised; or, as in some letters of reversion, an hour between sunrise and sunset is defined as one "*betuix* the rising of the sone and the ganging to of that ilk." One word I have not found in Jameson or elsewhere, used in the reddendo of a feu-charter in 1630 by the bishop of Ross, part of the feu-duty stipulated being one boll of

"suggeron eattis" (oats). What description of oats that may be I have not been able to discover. If it had been barley, one might have concluded that it referred to grain at some stage of the process of malting. The term, I may add, appears to be local.

One writ, also in the vernacular, is a confirmation dated in 1546 by the abbot of Holyrood, confirming articles and rules made by the "dekyn and kirkmaister of the Tailor Craft" in the Canongate for the welfare of their craft and the augmentation of divine service at the altar built within the abbey where St Ann, their patron saint, stands. To one charter dated in 1658 is attached a good impression of the great seal of the Protector. This deed conveys to John Leete, collector of the customs at Leith, the lands of Easter Grantoun and Goldenriggis, under a reversion in favour of James Jonkene, burgess of Edinburgh.

With one other document I will close these illustrations of the contents of the calendar. It is a letter patent under the great seal of Charles I. in 1634, granted for the purpose of correcting the irregular sale and restraining the immoderate use of tobacco, used, as the document states, on its first introduction as a medicine, but since so largely indulged in, and frequently of such bad quality, as to not only injure the health but deprave the morals of the king's subjects. To prevent which the king appoints Sir James Leslie and Thomas Dalmahoy to enjoy for seven years the sole power of appointing licensed vendors of the commodity. These vendors, after due examination as to their fitness, will be permitted, for payment of certain compositions and an annual rent in augmentation of the king's revenue, to sell tobacco in small quantities. The letter directs that the licensees so appointed shall become bound to sell only sound tobacco, and to keep good order in their houses and shops. The latter clause would almost suggest that the tobacco was to be sold for consumption on the premises, and that the smokers were probably in the habit at their symposiums of using, even as they may still, I daresay, other indulgences not so soothing in their effects as the coveted weed.

With one other observation I close. The modern conveyancer finds much of interest and amusement and, if he is wise, instruction also, in the study of a collection of old legal documents, as distinguished from the diplomatic or more historical class of manuscripts. The further back we go, we are surprised at the enviable directness and brevity of the terms in which an important transaction or arrangement may be expressed. Contrast, for example, the marriage contract which I have mentioned as forming the first number of the calendar with any more recent example. As the years roll on and the preparation of such deeds falls into the hands of the lay notary or professional scrivener, experienced in meeting the evasions and wiles with which the cunning of the special pleader too often defeated before the courts the plainest intentions of parties, the refinements and prolixities increased, until in the seventeenth century they arrived at a maximum, when a marriage contract or other deed, the sheets pasted end to end, forms in many cases a closely written roll many yards in length. We have improved on that a little. But even to-day the conveyancer, perhaps unconsciously, is often repeating the forms and using the very language stereotyped by his predecessors three hundred years ago.

I am indebted to Mr W. Rae Macdonald, F.S.A. Scot., Carrick Pursuivant, for the description of the seals which remain attached to many of the writs in the calendar.

CALENDAR OF CHARTERS AND OTHER WRITS.

10th January 1358.

1. Extract attested by Mr John Hamilton of Magdalens, Clerk-Register (1612-1622), of a charter under the Great Seal of David II. confirming to Maurice de Moray (Moravia), knight, the land of Cesfurde and the land called Bisetland in the barony of Balinereff within the sheriffdom of Edinburgh and constabulary of Hadinton, in the king's hands by reason of forfeiture. To be holden to the said Maurice and the heirs male to be lawfully procreated of his body, for services aucht and wont. Witnesses: William, bishop of St Andrews, Patrick, bishop of Brechin, chancellor, Robert, steward of Scotland, earl of Stratherne, Patrick, earl of March and Moray, William of Douglas, William of Levyngstoun, and Robert of Erskine, Knights. At Edinburgh, 10th January A.R. 28 (29).

10th August 1428.

2. An Indenture made at Abirdone 10th August 1428 between Murchou of Glayster of Lumgeir and Gilbert of Jonstoun of Baledach,—by which Andru son of the said Murchou agrees to marry Jonet of Lychtoun full sister to Elene of Lychtoun spous to the said Gilbert, and, the marriage being completed, the said Murchou binds himself to joyntfeft the said Andru and Jonet and the longer liver of them in the lands of the Hiltoun within the “schirredome of Mernys” and failing them by alienatioun, in as “mekyll and als convenient place,” the grantees obtaining the king’s consent and paying the costs: In consideration of which the said Gilbert pays to the first party the sum of £40 and the further sum of 40 merks on the marriage being completed: Failing the marriage by the death of either or both of the parties or the refusal of the said Andru, the said Murchou obliges himself [to alienate] to the said Jonet and failing her to her brother [name obliterated], failing him to his brother Alisander, and failing all to the said Elene her sister and her heirs, the lands of Glak in the schire of Davyot and sheriffdom of Abirdene, redeemable on repayment of the said £40. Walter Ydill burges of Inverury, Alisander of Lychtoun and Jon of Jonstoun (witnesses). [In the vernacular.]

4th September 1432.

3. Letters of Sasine by Thomas de Lumger, bailie in that part of Murdach de Glastre, lord of the half of the barony of Dunoter within the sheriffdom of Kyncardyn, making known that, by special command of the said Murdach, he gave heritable sasine and real and corporal infeftment by delivery of earth and stone, to Andrew de Glastre, son and heir of the said Murdach, and to Jonet de Lichtoun spouse of the said Andrew, and the longer liver of them and the heirs procreated or to be procreated between them,—of the land of the Hiltoun of Lumger with the pertinents, lying in the foresaid barony and sheriffdom, and belonging to the said Murdach. At the Hiltoun 4th Sept. 1432. Witnesses: sir Gilbert Emery, vicar of Fetheressow, James Trayle, John Tosach, and Andrew Donaldson (Donaldi).

Seal gone.

14th February 1438-39.

4. An Indenture made at Lestallrig 14th February 1438-39 betwixt the Abbot and Convent of Halyrudehous and sir Robert Logane lord of Lestallrig agreeing as follows:—That the said sir Robert shall take to his counsel Alane of _____ burges of Edinburgh, Johne Heryse, Johne of Turyne and of Leth “gif he be at hame” with any others unsuspect having best knowledge, to be sworn on the evangels “to give him trew consale and informatione anentis al landis possessiouns and annuale rentis” claimed by the abbot on the south side of the water of Leith “pertenand to Sancte Leonardis,” and their counsels being heard he shall deliver the said lands, etc., “quhilkis he throwis pertenyys to the said abbote and convent eftir his consiens and as he wyl answer before Gode,” to be delivered on the 8th March following. And the said Abbote shall confirm the assedations made by the said sir Robert of the landis of St Leonardis so delivered, the tenants paying all mails and service to the abbot and convent as they did before to sir Robert: And if the abbot and

convent are not content with the deliverance so to be made, they shall have leave "to persew and folow" as far as law will: The said abbot being obliged to give sir Robert and his heirs perpetually under the common seal of his house the baillieri of the lands and possessions delivered.

Traces of seal attached to the Indenture, which is written on paper, in the vernacular.

25th March 1439.

5. Letters in the form of a Notarial Instrument taken on 25th March 1439 under the hand of Robert Michelsoun [Michaelis] of Hyrdmanstoun, clerk, of the diocese of St Andrews, notary public, attesting the "bodily" deliverance "be merk and mere" by sir Robert Logane of Lestalrig, knight, to Patrike abbot of Halyrudehouse and to dene William Heryse prior, in name of themselves and the convent, of all the lands and "ground of erde" lying in the town of Leith, within the barony of Lestalrig, which were of old and yet are the lands and ground of St Leonardis and righteously pertain to the abbot and convent by old infeftment given to St Leonards, beginning at the east end of the great "wolutis" (vaults) of William Logane on the east and the common gate that passes to the ford of the water of Leith, the wast land near beside the house and the land of Johne of Turing on the west part, the common vennel called St Leonards wynde on the south and the water of the port of Leith on the north: To be holden of the said Sir Robert and his heirs. Given at the abbey in presence of the notary and the following witnesses: William of Libertoun of Libertoun, William of Douglas of Hawthornden, William Logan, Allan Napare, Thomas Forsyde, Johne Starhede, Robert Starhede, and James Cartare, "with mony otheris."

Attested by the notary, who gives the witnesses' names as William Libertoun, John Herys, and John Starhede, burgesses of Edinburgh, William Logane of the Cotfelde, William Starhede, Robert Starhede and Johne Gray serjeands of Leith, sir John de Crawford chaplain, et multis aliis. [Written partly in the vernacular.]

Seal of sir Robert Logane entire and in good preservation. Three piles in point, foliage at top and sides of shield. Legend (Goth. l.c.): Sigillum. roberti. logan. dni. de lestalrik. Beaded borders. Diam. $1\frac{1}{8}$ inch.

3rd April 1451.

6. Charter of Feu by Gilcrist Turnebule burges of Edynburgh to Robert Coxon burges of the same burgh, of the fore house of the tenement after-mentioned and a house adjacent and on the north side of the same; which tenement lies in the burgh of Edinburgh on the north side of the High Street between the land of Henry de Foulis on the east and the land of sir John Foulfurd canon regular of the monastery of Holyrood on the west: To be holden *de rege*, with liberty of removing and depositing dust and ashes to the tail or rear of said tenement. Rendering therefor yearly to the king burgh mail aucht and wont; to William de Liberton his heirs and assignees 20s. 8d. yearly; to Andrew Haliwel his heirs and assignees 40s.; to the chaplain of the altar of St James in the parish kirk of St Giles 13s. 4d. yearly, and for the

sustentation of a lamp in the said kirk and the choir thereof, 6s. yearly. At Edynburgh, 3rd April 1451. Attested by the seals of the granter and of Richard de Farnile, bailie of said burgh and giver of sasine. Witnesses: John Strang, James Currure, James Main, James Naper, David Lauson, James Smyth, John Doby, Alane Skynnare, and John Schethare serjeand of the said burgh.

Seal of granter gone. Seal of Richard de Farnile entire: A bend sinister between two water budgets. Legend (Goth. l.c.): S. . . . farnle (uncertain). Diam. 1 in.

4th March 1454-5.

7. Letters of Sesin under the seal of office of Laurence lord Abirnethy in Rothimay justice to the king on south half the water of Forth,—narrating that on Tuesday 4th March 1454-55 before him “there compeared Margaret Munduyle dochtir of sumtyme Henry Munduyel lorde of Tynwald and lord of the Tempilland of Dalgernow with the pertinentis with hir forespekare Thomas the Grahame of the Thornuke,” who on her behalf “askit at the said justice quhat he had done or gert do upon the executione of twa brevis that scho had present til him of before tyme of the twa quartaris” (of the said lands) “liand within the schirefdome of Drumfres, of the quhilk twa brevis the tane was de morte antecessoris and agane Williame of Hepburne be resone of sumtyme Jonet his spous, apon a quartar” (of the said lands), “and the tothir breve was richtsa a breve of morte antecessoris and agane Hawyis Munduyle, apon ane othir quartare” of the said landis: “The quhilk justice ansuerit and said at he had direct twa precepts to the schiref of Drumfres to summond or ger summond the said Williame and Hawys and askit at the schiref quhat he had done thareto; and than the said schiref ansuerit and said that he had chargit the kingis serjand David Haliday to execute the said preceptis eftir the tenor of thaim, the quhilk execution the said David previt in court lachfully made be him, and the said Thomas the Grahame askit the said justice to ger the said twa brevis be red in court and to procede to the recognitioun of ane assise: The quhilk brevis beand red the said justice chosit ane assise of the personis underwritin, that is to say, Johnne the Menzies of the Enach, William Grerson, George of Kirkpatrik, Aymare of Gledstanys, Tassy [Eustace] of Maxwell of Collynhath, Florides of Murray, Robert Makbraare, Robert of Johnstone, Robert Munduyle, Simon Litol, James of Kirkhalch, Gilbert Makmath, William Portare, Gilcriste Grerson, Thomas Fergusson, William Boyle, Cuthbert Molmerson, George Neleson, Johnne the Menzies of Achinsel, Malcome Magilhauche, Johnne Steuart, Davy Steuart, George Were, Donald Huntare, and Williame Maxwell: The quhilk assise, the grete aith sworne, and the avaymentis and the resonis of the party herd, passit oute of court and thai riply and sadly avysit at thare incuming in courte agane concorduntly pronuncit thare veredict be the mouth of Johnne the Menzeis of the Enach, sayand” that Henry Munduyell father of Margaret there present died vest and seized as of fee of the two quarters of the said lands, that she was his nearest and lawful heir in the four quarters of said lands, and that the said four quarters “war wrangwisly haldyn fra hir be the foresaid William and Hawys and at thare was na lachful cause to let the said Margarete til obtene sesine and possessione of the said foure quartaris,” that sesin should be given to her accordingly as her father had “that day he was quyk and dede,

outakand the landis, annual rentis and the doweris of wemen outane in the said brevis; and than the said justice at the instance of the said Margaret in jugement sittand gave heretable possession and state to the said Margarete of the foresaid" (lands) "eftir the tenor and veredict of the said assise and dome of court and chargit the schiref to ger give hir siclik possession and sesine apon the grond of the said landis." Done in the tolbooth of the burgh of Drumfres, in presence of Thomas abbot of the monastery of Holywood, John, master of Maxwel, Amer of Maxwel of Kirkconal, sir Robert Broky, vicar of Kirkmaquho, Thomas Thomson, notary public, John Lital and James Mateland. Attested by Alexander de Foulis, clerk, of the diocese of St Andrews notary public. [In the vernacular.]

Seal gone.

Presented by R. Riddell of Glenriddell.

12th October 1458.

8. Precept directed by Archibald [Craufurd], abbot of the monastery of Holyrood, to Robert Michelson, notary, his bailie, for giving sasine to John of Dudingstoun of Lethe, senior, for his lifetime, and after his decease to his eldest son John of Dudingstoun and his heirs, of the lands of Peilryge with the pertinents, lying in the barony of Brochtoun and sheriffdom of Edinburgh, according to the tenor of the charter made to them thereupon. At the monastery, 12th October 1458.

Seal gone.

22nd April 1461.

9. Retour of the Inquest made at Dingvale 22nd April 1461 by the persons afternamed, viz. Celestine de Insulis of Lochailche, sheriff of Inverness and lieutenant of John de Yle, Earl of Ross and Lord of the Isles, John Ross lord of Balnagowyn, Torlet Oge M'Ranald, Alexander Forbes, John Tullach lord of Estir Arde, Andrew Dunnowne, Lawrence de Monro, Donald M'Wonleve, John Nycholson (Nycholai), Donald Walterson (Walteri), Donald Huchonson (Hugonis), Duncan de Monro, Donald Torlet Ferchardson (Ferchardi), Donald Roderickson (Roderici), Thomas Johnson Huchonson (Johannis Hugonis), Angus Tormacson (Tormaci), Thomas Man and Ewat Patrickson (Patricii) tenant of Petfur: Who being examined and sworn upon the holy evangels found that umquhil William de Clyne grandfather of William de Clyne died vest and seised of the two Catbollis in the earldom of Ross and sheriffdom of Inverness, that the last-mentioned William, his grandson, was his lawful and nearest heir in the said lands and was of lawful age: that the said lands were then of the value of £6 and in time of peace £10 yearly and were held in chief of the Earl of Ross in blench farm: Rendering 1 penny yearly into the hands of the chaplain of the cathedral kirk of Moray, according to a claim made by them on a gift of the late Earl of Ross.

Five seals of the inquest are said to be attached, Andrew de Dunnowne (having no seal of his own) procuring that of Thomas of Dingvale, subdean of Ross.

Witnesses: sir Ferchard, William Squiar, and William Clerk.

Only one seal remains, viz., that of Celestin de Insulis: Quarterly, 1 and 4, a lymphad under sail (the Isles); 2 and 3, a lion rampant (probably

as second brother to the Earl of Ross). The shield is supported from behind by an eagle displayed. Legend (Goth. l.c.): S celestinus de lylis dns. local. (Lochalsh). Diam. $1\frac{2}{16}$ inch.

30th August 1469.

10. Charter of Feu granted by Patrick Cant son of Adam Cant burgess of Edinburgh, with his father's consent, in favour of Robert Hathwy burgess of said burgh, of the half of a piece of land of the said Patrick's tenement lying between the front house and descending towards the north as far as the north gable of the house with an addition of two feet of breadth toward the west; which tenement lies in said burgh of Edinburgh on the north side thereof between the land of umquhile Thomas Smyth on the east and the land of the said Adam Cant on the west: To be holden *de rege*: Rendering therefor service of burgh aucht and wont, and paying to the granter 40s. yearly at the terms of Whitsunday and Martinmas. At Edinburgh, 30th August 1469. Attested by the seals of Patrick and Adam Cant, and of George Penycuk, bailie of said burgh and giver of sasine. Witnesses: sir Alexander Crawford, chaplain, David Malevyn, John de Lyntoun, William Auchynlek, Thomas Twedy, John Richardesoun, Donald Makearny, Walter Henrisoun, serjeand, and Robert Martial, notary public.

Three seals originally. The granter's and Adam Cant's gone. George Penycuk's remains: A fess between three hunting horns stringed. Legend (Goth. l.c.): S. georgie de pennecuk. Diam. $1\frac{2}{16}$ in.

6th February 1474-5.

11. Charter by John Stockar burgess of Aberdeen, by which for the salvation of the souls of himself and his wife Cristiane, and his kin, forebears and successors, he gives to God and the Blessed Virgin Mary and all Saints, and to the perpetual vicar and chaplains in the kirk of St Nicholas of Aberdeen, the following annual rents, viz.: the annual rent of 5s. 4d. furth of the land of Robert Club within said burgh, between the land of William Moir on the west and the land of Richard Cullan on the north; an annual rent of 6s. furth of the granter's own croft within the territory of the Crofts of Aberdeen on the north side of the Crabstane between the croft of John Kintor on the west and the croft of Richard Kyntor on the east, which croft the granter obtained by conquest from William Giffard, who on payment to the vicar and chaplains of a sum of 10 merks for the purchase of another annual rent of 6s., should be entitled to free regress to the same; an annual rent of 32d. furth of a land on the west side of the Denburn between the granter's own land on the south and a croft of the Carmelite Friars on the west; an annual rent of 9s. furth of the granter's temple lands on the west side of the Denburn between the croft of the Friars on the west and the common highway leading to Crabstan on the south; and if the tenement last mentioned should become defective or ruinous and not distrainable for the said 9 shillings the granter provides that the same shall be upliftable furth of his croft within the territory of said burgh between the Friars' Croft called the Dowkat Croft on the west and the Denburn on the east; and an annual rent of 12 pennies furth of the land of Alexander Pollaxarn lying on the Denburn above the Bowbrig between the Denburn on

the east and the highway on the south : . . . To be holden in pure and perpetual alms : Rendering therefor the said vicar and chaplains and their foresaids yearly at the feasts of St Martin, St Crispin, and St Crispinian a placebo and dirge on the night preceding and a requiem mass "cum nota" on the morrow and thirty masses in the week immediately following, the vicar giving to the sacristan for the ringing of the bells at the said services 12 pennies of the said sum, other 12 pennies for wax and 2 shillings to the chaplain celebrating the said requiem mass ; and the remainder of the said sum to be distributed among the chaplains. At Aberdeen, 6th February 1474 (1475). Attested by the seals of Andrew Scherar, bailie of the temple lands of said burgh and giver of sasine of the said annual rents (the annual rent of 5s. 4d. excepted), and of Robert Blinseil, one of the bailies of said burgh and giver of sasine of the last-mentioned annual rent. Witnesses : Richard Kyntor, Alexander Blinseil, William Moir, Alexander Logy, and Robert Club, burgesses of Aberdeen, Alexander Anderson, one of the serjeands of the burgh, and William Wentowne, serjeand of the temple lands.

Seals gone.

4th November 1477.

12. Charter of Sale by George lord Haliburtoun, lord of the barony of Abyrnyte, in favour of James Scrymgeour, constable of Dundee,—of an annual rent of 16 merks furth of the lands of Haltoun and Balfour lying in the barony of Abyrnyte and sheriffdom of Perth : To be holden *de me*, for payment of a penny Scots in blench ferm. At Dundee, 4th November 1477. Witnesses : John Congiltoun, Andrew Kynros, and John Nicholsoun, esquires. (Signed) George Lord Haliburton.

A fragment only of the seal remains, showing the crest, on a helmet with mantling and wreath, a goat head.

18th November 1478.

13. Letters and Instrument of Transumpt made before John Lok, professor in theology, canon of the cathedral kirk of Brechin and provost of the collegiate kirk of St Salvator in the city of St Andrews, official principal of St Andrews, at the instance of David Ramsay, licentiate in decreets, syndie of the abbot and convent of the monastery of Scone, Master David Monypenny, canon of Moray syndie of the monastery of Dunfermline consenting, of a composition or decreet-arbitral made by the abbots of Melrose and Driburgh and prior of Melrose in the dioceses of Glasgow and St Andrews proceeding on Letters Apostolic of Pope Honorius III. (dated at the Lateran on the 12th of the Kalends of January in the 7th year of his pontificate, 21st December 1222), whereby with reference to an indenture between the abbot and convent of Scone and the abbot and convent of the monastery of Dunfermline, they found that the said abbot and canons of Scone should pay yearly for ever to the monks of Dunfermline the sum of 5 merks silver for the lighting of the kirk of Dunfermline, and that on the other hand the said monks should quitclaim the said canons of the teinds of the mills of Perth on the water of Ammond and should renounce their right to the same in favour of the said canons. Done in the kirk of St Leonard, St Andrews, 18th November 1478. Witnesses : John Abbernethy, rector of Tannadas, John Tyry, rector of

Ballingry, Henry Cramby, vicar of Kylspindy, and Walter Small, Masters of Arts, John Eliotson, and Thomas Tode, bachelor in decreets, presbyters, Simon Campione, notary public.

Attesting notaries: Duncan Yhalulok, presbyter, of the diocese of St Andrews, bachelor in decreets, perpetual vicar of the parish kirk of Crawford and clerk of court; and Robert Lorymar, presbyter, of the diocese of St Andrews.

The seal of the officialate of St Andrews and the seal of the abbot of Lundoris are appended entire. A third seal, that of the rectory of St Andrews, is gone.

St Andrews: Office of the official principal. Within a pinnaced niche the half-length figure of a bishop. Beneath, a shield bearing arms, a saltire. Legend (Goth. l.c.): *Sigillum officii officialis see. andrie principalis*. Pointed oval: $1\frac{1}{4} \times 1$ in.

Andrew Cavers, abbot of Lindores Abbey: Under a Gothic canopy a full-length figure of the Virgin without nimbus or crown, holding the Child on her left arm, and in niches on each side a lily or other flowering plant in a pot. Beneath, within a round arched niche, the figure of a monk kneeling to dexter and looking up. On the dexter side of this niche is a trefoil ornament, under the sinister a shield bearing arms, three (fetterlocks?). Legend (Goth. l.c.): *S. andree cavers abbatis de lundoris*. Beaded borders. Pointed oval: $2\frac{7}{8} \times 1\frac{7}{8}$ in.

27th November 1481.

14. Letter of Reversion by Alexander Johnston of that ilk, and Agnes Glaster his spouse, narrating that Alexander Glaster of that ilk had sold and alienated to them an annualrent of 4 merks furth of his lands of the Hiltoun [of Longair] lying in the barony of Dunnottar, within the sheriffdom of Kyncardin, with the lands of the Glake and the half of the lands and town of Lytilwerkylle, with a toft and croft and 2 oxengang of the lands and town of the Harlaw lying in the earldom of the Garvauch within the sheriffdom of Abirdeen, given in warrandise for the said annualrent, and binding themselves and the heirs lawfully gotten or to be gotten betwixt them, whom failing the heirs whatsoever of the said Alexander Johnston, upon payment by the said Alexander Glaster his heirs or assignees to the granters and their foresaids of the sum of £40 Scots upon Saint Serwe altar in the parish kirk of Monkege [Keith-hall], to resign and renounce the foresaid annualrent with the lands given in warrandise thereof to the said Alexander Glaster and his foresaids. It is provided that on failure to appear and receive the money after due warning, consignation thereof may be made in the hands of the curate of the kirk, on which consignation being made the said Alexander Glaster shall have free regress to the annualrent and lands. At the Glake, 27th November 1481. [In the vernacular.]

The seal of Alexander Johnston by which the Reversion is said to be attested is gone.

24th February 1482-3.

15. A Charter of Mortification by which Alexander Menzeis burgess of Abirdene, with consent of his spouse Elizabeth Lesly, for the salvation of

their souls and the souls of Gilbert Menzeis, Andrew Menzeis the granter's father, and Marion Arbuthnot his mother, gives to the Vicar and Chaplains of the collegiate parish church of the Blessed Nicholas of Abirdene, an annual-rent of 20s. furth of 2 crofts lying in said burgh, viz., 13s. 4d. furth of a croft called the Calsay Croft at the end of the Gallowgate between the croft of umquhile Andrew Alan on the north, and the croft of the Friars Preachers on the south; and 6s. 8d. furth of another croft near the Thieves Bridge between the croft of umquhil William Blindsell called the Halelandis on the south and the croft of David Mar on the north: To be holden in pure and perpetual alms: Rendering therefor during the life of the granter the service of one trental on the second sunday of April for the soul of his father Andrew Menzeis and another on the second sunday thereafter for the soul of his grandfather Gilbert Menzeis, with the octaves following, and after the granter's death a placebo and dirge with a trental following and a requiem mass on the next sunday for the souls of himself and his said spouse. At Abirdene 24th Feb. 1482-3. Witnesses: Gilbert Andrew Culan, and John Waus, burgesses, Master Alexander Fyfe, clerk, sir Edward Robertson, Mathew Nicholson and Alexander Gray, chaplains, and Robert Leis and John Striveling, clerks and notaries public. Sasine given by Thomas Fyfe, one of the bailies of Abirdene, to Alexander called the collector of said collegiate church.

Seals of the granter and bailie gone.

9th February 1484-5.

16. A Charter by Alan Broune, burges of Edinburgh, whereby he gives to John Dee, burges of Edinburgh, in marriage with his daughter Katherine Broun, in absence of moveables, the half of the forehouse of the tenement of unquhil Gilrist Turnebule [described in No. 6 *ante*], and of the house adjacent on the north side thereof: To be holden *de rege* for payment of burgh mail aucht and wont, and half of the annuals mentioned in No. 6. At Edinburgh, 9th February 1484-5. Witnesses: Henry Cant, senior, Edmond Chesholme, William Clerc, George Edwardsoun, James Matho, Robert Rynd, Thomas M'Clellan, Robert Urry, John Penven, John Farnly and Cuthbert [Yong] serjeands.

The granter's seal is wanting. Part of that of John Boncle, one of the bailies and giver of sasine, is attached: A chevron between two buckles in chief and a star in base. Legend (Goth. l.c.): S. iohis. bonkill. Diam. $\frac{1}{8}$ inch.

9th February 1484-5.

17 Instrument of Resignation and Sasine taken on 9th February 1484-5 in the hands of Henry Strathachin, clerk of the diocese of St Andrews, notary public, in favor of John Dee, burges of Edinburgh, following on the preceding Charter. Sasine given by John Boncle, one of the bailies of Edinburgh. Witnesses: Henry Cant, senior, Edmond Chesholme, William Clerc, George Edwardsoun, James Matho, Robert Rynd, Thomas M'Clellan, Robert Urry, John Penven, John Farnly, and Cuthbert Yong, serjeand.

The bailie's seal is gone.

30th October 1492.

18. Charter of sale granted by John Dowglas, fiar of the landis of Mordingtoun, with consent of his father William Douglas, liferenter thereof, in favor of Philip Nesbit of that ilk, of the dominical lands of Mordingtoun with the pertinents—reserving two husbandlands and the mill with the sequels—in the barony of Mordingtoun and sheriffdom of Berwick. To be holden *de me* for payment of 1*d.* Scots at Whitsunday in name of blench farm. At Edinburgh, 30th October 1492. Witnesses: Robert Lauder of Bass, Peter Nesbit, William Nesbit, James Aikman, bailie of Edinburgh, James Monynet, sir James Wilson, chaplain, Henry Strathauchin, notary, Mark Dowglas, George Nesbit, and John Nesbit.

Seals gone.

13th March 1492-3.

19. Instrument of Resignation and Sasine taken on 13th March 1492-3 in the handis of Henry Strathauchin, clerk of the diocese of St Andrews, notary, upon the resignation made by William Bell, burgess of the burgh of Edinburgh and Mariot his spouse, in the hands of Andrew Bertrame one of the bailies of said burgh, of their tenement lying at the upper bow of Edinburgh, between the land of M. Richard Lauson of Hieriggis, clerk of the King's justiciary on the west and the land of Bertholomew Carnis on the east, the land of unquhile Adam Burnleddar on the south and the common hie street on the north; and upon the sasine thereupon given by the bailie to the said M. Richard Lauson and his spouse Jonet Elphinstoun and the longer liver of them and the heirs lawfully procreated or to be procreated between them, whom failing their nearest lawful heirs and assignees. Witnesses: sir Robert Lausoun, chaplain, John Lausoun, William Merlzeone and John Farnly serjeand.

A portion of the bailie's seal remains: Three cinquefoils with a crescent at fess point. Legend (Goth. l.c.): S. andrei bartram. Diam. 1 in.

20th December 1499.

20. Letter directed under the seal of Andrew, bishop of Moray, to sir Martin Diverti, vicar of the kirks of Pettin and Brachlie, and rural dean of Invernish or any other chaplain duly called to the execution thereof,—requiring him to induct sir John Maklelan to the chaplainry of S. John Baptist in the parish kirk of Invernish, vacant by resignation made by sir William Paterson (Patricii) procurator and in name of sir John Narn last possessor thereof, on the presentation of sir Hugh Fraser of Lovet and the provost, burgesses and community of Invernish; and in testimony of his having done as commanded to attach his seal to the said letter. Given at the cathedral kirk of Moray, 20th December 1499. Witnesses: Thomas Levingstoun, canon of Moray, Andrew Sinclair, master of arts, and John Angusson (Angusii), vicar of Kinnor. Attested by Donald Thomson (Thome), presbyter, of the diocese of Moray, notary public.

Seals gone.

20th June 1503.

21. Charter by John Dee, burgess of Edinburgh, granting to John Masone burgess there and his intended wife Margaret Dee, daughter of the grantor and

the longer liver of them, the half of his front land of the tenement of umquhil Alan Broun lying in the burgh of Edinburgh on the north side of the High Street between the tenement of umquhil Adam Strathauchyne on the east and that of Robert Rynd on the west : To be holden *de rege* for burgh mail aucht and wont and for payment of the half of whatever annualrents are upliftable from the said front land : Reserving the granter's liferent. At Edinburgh, 20th June 1503. Witnesses : John Richardsoun, David Moffat, John Blak, Henry Strathauchyne, notary public, and Andrew Grahame, sergeand, cum diversis aliis.

The seal of Thomas Carkettill, one of the bailies and giver of sasine, is wanting. The seal of the granter is entire : A merchant's mark. Legend (Goth. l.c.) : S. iohannis. de. Diam. $1\frac{2}{8}$ in.

20th June 1503.

22. Instrument of Resignation and Sasine taken on 20th June 1503 in the hands of Henry Strathauchin, clerk of the diocese of St Andrews, notary public, upon the resignation made by John Dee, burgess of the burgh of Edinburgh, in the hands of Thomas Carkettill, one of the bailies of said burgh, of the subjects in the preceding Charter ; and on the Sasine therupon given by the bailie to John Masone burgess of said burgh and Margaret Dee his affianced spouse and the longer liver of them and the heirs to be lawfully procreated between them, whom failing to the heirs of the said John Dee procreated between him and umquhil Katherine Broun his spouse, whom all failing to revert to the nearest lawful heirs of the said John Dee whomsoever : Reserving the said John Dee's liferent. Witnesses : John Richtarsone, David Moffet, John Blak, and Andrew Grahame, sergeand of said burgh.

Bailie's seal gone.

20th January 1504-5.

23. Letter of Presentation directed by Thomas lord Fraser of Lovet to Andrew bishop of Moray, narrating that the perpetual chaplainry of the blessed John Baptist within the parish kirk of Invernes was vacant by the decease of sir John M'Lelan, last possessor thereof ; and presenting for collation thereto, with consent of the provost, bailies and community of the burgh of Invernes, sir Nicholas Barchan, presbyter, humbly desiring the bishop to admit him or his procurator in his name to the said chaplainry. At Invernes, 20th January 1504-5. Witnesses : Thomas Patrickson, Alexander Anderson, John Mychelsson, burgesses and bailies of Invernes, with divers of the community thereof, James Cummyne and Alexander M'Kay esquires, sir William Pateron (Patricii), rector of Balleskan, sir John Narne, vicar of Fernuay, and John Brune.

Lord Lovet's seal is appended entire but partly defaced. Couché : Quarterly, 1 and 4, three crowns ; 2 and 3, three fraises. Crest : On a helmet with mantling and wreath, a stag head. Legend (Goth. l.c.) : S. thome dni de louet. Diam. $1\frac{4}{8}$ in.

4th June 1505.

24. Instrument of Sasine taken on 4th June 1505 in the hands of John Stirveling, presbyter, of the diocese of St Andrews, notary public, in favour

of sir John Chamer, perpetual chaplain at the altar of S. Salvator within the parish church of Aberdeen, of an annualrent of 10s. 8d. furth of the land of David Kintor on the north side of Castle Street of Aberdeen, between the land of umquhil Ranald Talzour on the east and the land of John Ratre on the west; and another annualrent of 10s. furth of the land of umquhile Alexander Findelaw, flesher, lying in the Futy between the land of the said Alexander Fyndalay on the south, and the land of umquhile John Galoway on the north extending in length to the lynkis towards the east and the common way on the west; Sasine given by Patrick Leslie one of the bailies of Abirdeen on the resignation and by express command of Andrew Murray, burgess of said burgh. Witnesses: sir David Liell, Walter Wischeart, Robert Piper, William Nicholsonsone, John Matland, burgesses, and Andrew Nauchty, serjeand.

Bailie's seal gone.

Andrew Murray's seal entire: A merchant's mark. Foliage at top and ^{one} sides of shield. Legend (Goth. l.c.) . . . Diam. $1\frac{2}{16}$ in.

Charter of same date, Reg. Ho. Calendar, No. 681.

31st May 1508.

25. Instrument taken on 31st May 1508 in the hands of William Bryden, clerk, of the diocese of Glasgow, notary public, on the sasine given to sir William Crenstoun of that ilk, knight, of two husbandlands commonly called Stewartislands lying in the territory and lordship of Craling, barony of Mynto and sheriffdom of Roxburgh: Proceeding on a Precept of Sasine dated at Edinburgh, 19th May 1508, directed by sir John Stewart of Mynto, knight, superior of the said lands, to William Schewell, Robert Levyntoun, and John Achinros, as bailies in that part. Sasine given by William Schewell. Witnesses: Edward Tait, Wm. Stoun, Willelmo Chessam, Thomas Myddilmost, Simon Rudderfurd, William Lawder, James Kerhop, William Wamesle, and Robert Browne.

2nd May 1509.

26. Instrument of Resignation and Sasine taken on 2nd May 1509 in the hands of John Stirveling, presbyter, of the diocese of St Andrews, notary public, upon the resignation made by Alexander Gray, burgess of Abirdene, into the hands of Thomas Lesly, one of the bailies of said burgh, of an annualrent of 14s. furth of the land of umquhil Alexander Logy, fore and back, with the pertinents lying on the west side of the Gallowgate of Abirdene between the land of Ninian Blinseile on the south, and the land of umquhile William Buchane on the north; and another annualrent of 6s. 8d. furth of the land of the said William Buchane on the west side of the Gallowgate between the said land of Alexander Logy on the south and the land of umquhile John Lundoris on the north,—for Sasine to be given to the curate and chaplains of the choir of the parish kirk of the burgh, which sasine was thereupon given by the said bailie to sir Andrew Colisone, collector and procurator of the said chaplains. Witnesses: John Cullan, David Rutherford, Andrew Gordone, John Fechat, John Grene, Thomas Nile, burgesses and indwellers of the said burgh, sir Robert Pathonsone, chaplain, and William Scrimgeour, serjeand.

Seal wanting.

5th April 1512.

27. Instrument of Resignation and Sasine taken on 4th April 1512 in the hands of John Striveling of the diocese of St Andrews, notary public, on the resignation made by sir John Litstar, chaplain of the altar of SS. Crispin and Crispinian in the parish kirk of the burgh of Aberdeen, into the hands of John Colisone one of the bailies of that burgh, of an annualrent of 11s. furth of the land of Donald Strathachin on the south side of the Upper Kirk-gate of the said burgh between the land of umquhil William Nory on the east, the land of Andrew Michelsone on the west, and on the south extending to the burn : Whereupon the bailie gave sasine of said annualrent to sir David Waus as collector and procurator to the chaplains of the choir of said parish kirk—under reservation of the said sir John's liferent. Witnesses : James Colisone, Thomas Chamer and William Rolland, burgesses of said burgh, sir Duncan Marscheale, chaplain, William Scrimgeour and Andrew Naughtie, sergeands.

The bailie's seal attached : A fess between a mullet pierced, flanked by two cinquefoils in chief and three peascods in base. Legend (Goth. l.c.) : S. iohannes. colison. Diam. $1\frac{1}{8}$ in.

8th February 1518-19.

28. Charter by William Gill, "nepos" and heir of umquhil David Gill, burgess of Edinburgh, by which he sells and alienates to Robert Lyne, burgess there, an annualrent of 3 merks Scots furth of his half of a land or tenement lying in the burgh of Edinburgh on the north side of the High Street between the land of umquhil Adam Johnestoun on the east and the tenement of umquhil Patrick Cant on the west. At Edinburgh, 8th February 1518-19. Witnesses : Mr Adam Ottirburn, common clerk of the said burgh, Mr Francis Boithwell, Alexander Dundas, William Broune, William Frost, Michael Symson, John Foular, notary public, and William Nesbit, serjeand. Giver of Sasine William "Clerk" [Bronclerk], one of the bailies of Edinburgh.

The granter's seal is wanting, but the bailie's seal remains entire and in fine preservation : An angel supporting from behind a shield bearing arms—a hunting horn stringed, on a chief three crosses pattée fitchée. Legend (Goth. l.c.) : S. wilelmii bronclerk. Diam. 1 in.

8th February 1518-19.

29. Instrument of Resignation and Sasine taken on 8th February 1518-19 in the hands of Adam Otterburn, M.A., clerk, of the diocese of St Andrews, notary public, in favor of Robert Lyne, burgess of Edinburgh—of the annualrent of 3 merks specified in the preceding Charter. Witnesses : Mr Francis Boithuell, John Reid, Alexander Dundas, William Frost, and William Nesbit, serjeand.

Bailie's seal gone.

14th January 1523-24.

30. Instrument of Cognition and Sasine taken on 14th January 1523-24 in the hands of John Foular, clerk, of the diocese of St Andrews, notary public,

in favour of Alexander Hathwy as son and heir of umquhil Thomas Hathwy burgess of Edinburgh in his part or half of a land or building, lying within and on the east side of the passage of the tenement aftermentioned between the front land of said tenement on the south and the land of umquhil David Gill on the north, said tenement being the tenement of land of Alexander Cant on the north side of the High Street of Edinburgh, between the land of umquhil John Blakstok on the east and the tenement of umquhile Symon Dowele on the west: Sasine given by John Marjorybankis, one of the bailies of Edinburgh, to John Andirsoun as attorney and in name of the said Alexander Hathwy. Witnesses: William Gill, Patrick Lithqw, Hugh Nesbit, and Hugh Wallace, serjeand.

Bailie's seal gone.

1526.

31. Letter of Gift under the Privy Seal of James V., whereby, with consent of the lords of his council, he gives to Robert lord Maxwell and Agnes, countess of Boithuil his spouse, and the longer liver of them and his heirs and assignees, the ward of the lands and annualls, both property and tenandry, with mills, fishings, advocacion and donation of kirks and chaplainries, and their pertinents, which pertained to umquhile Edward Maxwell of Tinwald and by his decease then in the King's hands, for terms bygone and to come, with the mails, fermes, etc. during the time of the ward; with the relief thereof, and the marriage of Margaret Maxwell and Elizabeth Maxwell, daughters and heirs of the said Edward, and failing them by their decease unmarried, the marriage of any other or others, his heir or heirs, male or female. At Edinburgh, the day of 1526, A.R. 13. Subscribed by the King. On the margin: "Apud Edr. 16 Augusti anno, etc., XLI. Perhanc literam allocatur in compoto vicecomitis de Drumfres, £930. Mowbray sst." "Apud Edr. 23 Augusti anno, etc., xli. Per hanc literam allocatur in compoto vicecomitis de Wigtoun, £720. Mowbray sst." [In the vernacular.]

Privy Seal of James V. A lion rampant within a royal tressure: Above the shield an open crown. Supporters, two lions. Beneath the crown is a star; at each side a small annulet, and also a mascle on dexter. Behind the dexter supporter a crescent, and on the flank of each a saltire. Legend (Goth. l.c.): Sigillium secretum Jacobi dei gracia regis Scotorum. Diam. $2\frac{6}{16}$ in.

22nd August 1526.

32. Charter of Sale by Robert Lyne, burgess of Edinburgh, to George Leich burgess of the same burgh and Mariot Dee his spouse and the longer liver of them—of an annualrent of 3 merks furth of the half of a land or tenement with the pertinents lying on the north side of the High Street of Edinburgh between the land of umquhile Adam Johnestoune then belonging to Edward Little on the east and the tenement of land of Alexander Cant on the west, the land of umquhile Alan Landellis on the north, and the fore tenement of the said Alexander Cant on the south. [See No. 28 preceding]: To be holden *a me de rege*. At Edinburgh, 22nd August 1526. Attested by the seals of the granter and of Patrick Flemyng one of the bailies of said burgh. Witnesses: William Elphinstone, William Mynto, William Macolme, John Achinsoune,

James Henrisone, Vincent Strathauchin, notary public, and Thomas Arnot serjeant of said burgh.

A portion of the granter's seal and the larger part of the bailie's remain.

- (1) Robert Lyne: A merchant's mark, foliage at top and sides of shield. Legend illegible.
- (2) Patrick Flemyng: A chevron charged with a star within a royal tressure. Legend (Goth. l.c.): S. patrici. fleming. Diam. $1\frac{3}{8}$ in.

9th December 1529.

33. Letter of Collation in the form of a Notarial Instrument by Alexander Dunbar dean of Moray, and (the See being vacant) vicar general thereof, directed to the rural dean of Invernes or to any other chaplain with or without a cure celebrating divine services within the diocese, setting forth that the perpetual chaplainry of the blessed Michael the Archangel within the parish kirk of Invernes being vacant by the decease of umquhil sir Hugh Vaus last chaplain thereof, at the presentation of the provost, bailies and community of the burgh of Inverness, has been by them presented to sir John Vaus, chaplain, by letters patent under their seal; and investing him personally, by imposition of the ring, in the said cure and the government and administration thereof, and requiring the said rural dean, etc., to induct and institute him or his procurator and defend him so inducted and instituted in the fruits, rents and profits thereof, constraining all gainsayers by ecclesiastical censure and episcopal authority. In testimony of which collation the said letter in the form of an Instrument is sealed by the seal of office of the vicar general. Done in the parish kirk of Invernes on the 9th of December 1529. Witnesses: Mr John Hay, canon of the Cathedral Church of Moray and prebendary of Duthol, sirs Andrew Cutbert vicar of Warlaw¹ and John Cutbert, chaplains, and Alexander Paterson, burgess of Invernes. Attested by Thomas Gaderar, presbyter of the diocese of Moray, and Master in Arts.

Two seals:

- (1) Alex. Dunbar, dean of Moray, and vicar-general. A representation of the Trinity enthroned, with foliage at the sides. Beneath the footstool a shield bearing arms:—three cushions lozengeways. Foliage ornament at sides and base. Legend (Goth. l.c.): S. officii . . . ai ac vicarii gnalis morau. Diam. $1\frac{1}{8}$ in.
- (2) Andrew (. . . ?): A shield with crossing lines at top and sides, bearing arms; a passion cross encircled round the arms by a crown of thorns, and flanked by the initials a.d. Legend (Goth. l.c.): S. dni andree dur. Diam. 1 in.

4th August 1532.

34. Letters and Instrument of dispensation dated at Edinburgh, 4th August 1532 by Gavin archbishop of Glasgow, commissar in that part specially appointed under letters apostolic dated 2nd March 1532, directed to him by Silvester Darius of the diocese of Lucca, chaplain of the apostolic palace and papal nuncio to James, king of Scots, for the marriage of William Johnstoun, laic, of the diocese of Glasgow, and Katrine Kilpatrick. Witnesses: Alexander

¹ Warlaw (Wardlaw) [conjoined with Farnuay to form the parish of Kirkhill].

abbot of Kilwinning, Alexander prior of Pluscartyne, John Lawder, commendator of Kilrynnne [*sic*], Cuthbert Arthure and John Culquhoun vicar of Glasgow, presbyters, Thomas Hamilton and Henry Craufurd. Attested by Andrew Smith (Fabri), notary public, Master of Arts, and clerk to the archbishop.

The seal of the archbishop is gone.

12th June 1535.

35. Instrument taken on 12th June 1535 in the hands of John Smyth, presbyter, of the diocese of St Andrews, attesting that Thomas Arthour, burgess, of the diocese of Edinburgh, appeared in presence of Master John Wodell, rector of Flysk and official of St Andrews within the archdeanry of Lothian and others sitting in judgment, and bound himself to deliver to Thomas Anderson indweller of Edinr. then present an authentic copy, in the form of a transumpt by the authority of the said official, of a certain Charter of Warrandice, precept of Sasine and instrument of Sasine following thereon of and relating to the lands of Menstre granted by umquhile Archibald earl of Argyll to umquhile John Watsone and his heirs, which lands of Menstre extending to 10 merk lands the said earl gave to the said John Watsone and infest him therein in warrandice and security of 8 oxgates of the lands of Estir Strabrok alienated by him to the said John: Attour the said Thomas Arthour discharged and forever quitclaimed in favor of the said Thomas Anderson, a Sasine then in the hands of John Porves, burgess and dean of guild of Edinburgh. Done in the consistory of St Giles. Witnesses: James Carmur, James Morray, Thomas Malcom and James Dennistone chaplains and notaries public, James Jonesone, burgess of Edinburgh, and William Cunynghame.

3rd August 1537.

36. Instrument of Resignation, Cognition, and Sasine taken at Edinburgh 3rd August 1537 under the hand of Andrew Brounhill, notary public, of the diocese of St Andrews, and under the seal of Simon Prestoun one of the bailies of the burgh of Edinburgh, attesting (1) the resignation by Margaret Windezzettis, spouse of Thomas Patersoun burgess of the said burgh, of an annual-rent of 40s. Scots furth of a tenement of land belonging formerly to umquhil Hugh Bar and then to Archibald Williamsoun, burgess of said burgh, lying on the south side of the Market Cross of Edinburgh between the land of umquhil John Swift and the passage on the east, the land of umquhile James Lamb then of the heirs of umquhil John Adamsoun on the west, the lands of umquhile James Gourtone and William Portwis then belonging to John Cant on the south, and the land of umquhile William Goldsmyth then belonging to the heirs of umquhile William Anderson on the north; (2) the resignation by the said Margaret of an annualrent of 8 merks furth of the land of umquhile John Hopper and then belonging to the said Archibald Williamsoun, lying on the north side of the High Street of said burgh between the land of umquhile William Broun then belonging to William Andersoun on the east, and the land of the said Archibald on the west; (3) the cognition and entry of George Frog as son and heir of umquhile William Frog lawfully procreated

between him and the said Margaret Windezettis, to the said annualrents, under reservation of her liferent thereof; (4) the ratification of the premises by Margaret Windezettis; (5) the resignation of the annualrents by George Frog; and (6) the sasine thereupon given on his mandate to the said Thomas Paterson in the same annualrents—reserving the liferent of the said Margaret, his spouse. Witnesses: Alexander Belscheis, James Cant, John Scheves, John Sandersoun and William Watsoun, serjeand.

Bailie's seal attached: Three unicorn heads coupéd, with a trefoil slipped at fess point. The shield extends to the top of the seal, cutting into the circle for the legend, and above it is a palm-branch. Legend (Goth. l.c.): Symon. preston. Beaded borders. Diam. $\frac{1}{2}$ in.

Indorsed is a warrant, dated 8th July 1550, by the provost and bailies for poynding James Stevinsoun and others for payment of the above annualrent of 40s. overdue for three terms.

10th July 1545.

37. Feu Charter granted by William, commendator or usufructuary, and John the abbot, of the monastery of Culross and the convent thereof, of the Cistercian Order in the diocese of Dunblane, for augmentation of their rental and in consideration of 200 merks then paid to them (for the repair and maintenance of their buildings then ruinous and for their relief from divers creditors) in favour of Cutbert Blacader and his spouse Mariota Boide and the longer liver of them,—of the lands of Blairhall and Patis Poffillis lying in the lordship of Culros and sheriffdom of Perth: To be holden *de nobis* in feu farm: Rendering therefor yearly 10 merks Scots and 14 poultry being the feu-duty payable before the granting thereof, and for arriages, carriages and other services 10s. Scots, together with the sum of 33s. 4d. for augmentation, whereof 6s. 8d. is to be paid to the monks for their pittances, extending in whole to the sum of 13 merks 3s. 4d. yearly, besides the accustomed dues to their mill of Schiris, 3 suits at 3 principal pleas to be holden annually at their monastery and doubling the feu farm the first year of the entry of each heir. Attested by the common seal of the chapter and the seal of Robert bishop of Orkney and abbot of Kynlos in token of his consent as "*pater abbas*." At the Monastery, 10th July 1545. Witnesses: Edward Brus, Alexander Gaw, David Wrecht, John Forett, Sirs John Broun, Thomas Cristeson, and Robert Broun, chaplains. (Signed) Ro. orchaden. eps. ac abbas de Kinlos, Villelm Comendatarius de Culros, Johannes abbas eiusdem, Fr. Johannes Cristeson, Fr. Johannes Kynpont, Fr. David Trumbull, Fr. Johes Zowng, Fr. michael Donaldson, Fr. alexr. Halkerston, Fr. robertus Crysteson, Fr. georgius Paterson, Fr. Robertus Dewquhir, Fr. Robertus Holkat, Fr. Archibaldus Prymros, Fr. Alexr. Bavereg, Fr. Johannes Westwatter, Fr. Andreas Trumbull.

No seal.

18th January 1545–46.

38. Letters of Commission directed by David [Beton], cardinal priest of St Stephens on the Cœlian Hill, archbishop of St Andrews, primate of Scotland, and Legate of the Apostolic See (*natus et a latere*), to Alexander Galloway and Duncan Burnett canons of the church of Aberdene, and to the subchanter

of Abirdene, or any two of them, for the purpose of confirming (after due enquiry) a Charter of feu farm granted by John abbot of Lundoris and the convent thereof to James Johnstoun of that ilk and Clara Barclay his spouse, and the longer liver of them,—of the lands of Monkegy and Westbonds belonging to the said monastery, lying within their barony of Fyntra, regality of Lundoris and sheriffdom of Abirdene. At Edinburgh, 15th Kal. February 1545, 11th year of the pontificate of Paul III.

Seal of Cardinal Beaton. The larger part remains: Three canopied niches with open work at sides. In the centre, St Andrew holding his cross in front with his right hand, and a book in his left. In the dexter, St Peter with book in his right hand, and key in his left resting on his shoulder. In the sinister, St Paul with book in his right hand and sword in his left resting on his shoulder. All three have the nimbus. Beneath is the cardinal's achievement occupying the lower third of the seal, viz., an ornamental shield, with archiepiscopal cross behind, and above, a cardinal's hat, bearing arms: quarterly, 1 and 4, a fess between three mascles; 2 and 3, on a chevron an otter head erased. Motto, on an escroll on each side of the cardinal's hat:—*INTENTIO, INTENTIO*. Legend (caps.): S.R.P.D. DAVID BETON, TT. S. STEPHAI IN CELIO MOTE. S.R.E. PBRI. CAR. S. ANDREE, ARCHIEPI. PRIMATIS. ET. AP. SE. DE LATERE LEGATI. Pointed oval: $4\frac{1}{8} \times 2\frac{1}{8}$ in.

8th February 1545–46.

39. Charter by sir Adam Sym one of the two secular chaplains of the chapel of St Ninian, bishop, founded at the Bridgend of Leith on the north side of the water thereof by Robert Bellenden, abbot of the monastery of Holy Rood near Edinburgh, narrating that at the time the English burned the town of Leith the land aftermentioned belonging to him and his said chaplainry was destroyed and a great part thereof thrown down and burned, for which reason he no longer enjoyed the rents and annual revenue due to him from the same, and if the ruinous and fallen walls were not supported and rebuilt they would speedily fall: Therefore for the rebuilding and repair of the same to be performed by Andrew Thomsoun and for its future sustentation and augmentation (to the extent of 2 merks) of the rental payable to him and his successors as chaplains, he, with consent of Robert perpetual commendator of the abbey of Holyrood, Alexander abbot of the monastery of Cambuskynne, his coadjutor and administrator, and of the convent of the said abbey, patrons of the said chaplainry, grants in feu ferm, to the said Andrew Thomsoun and Margaret Smaberd his spouse and the longer liver of them, that land which the said Andrew and William Mowat then occupied lying in the town of Leith on the south side of the Bridge, between another land belong to sir James Broun the other chaplain of the said chapel and his chaplainry on the north; the common way on the south and east and the water called the Reyeh on the west parts in the regality and barony of Brochtoun and sheriffdom of Edinburgh: To be holden *a me de dicto commendatario*, in feu farm: Paying therefor yearly the sum of 10 merks as the old ferm, and in addition the said 2 merks in augmentation thereof. At Edinburgh, 8th February 1545(46). Witnesses: Andrew Johnstoun of Elphing-

stoun, Róbert Fairlie of Braid, Master Patrick Buchquhannane and Master John Buseyo, George Paniter, sir James Dennestoun, John Portows and Alexander Makneill, notaries public. Signed by the granter, the commendator and administrator, Alexander Smethberd, the subprior, and the following monks of Holyrood : Alexander Arkas, George Creychtoun, Thomas Ryllyntone, John Ramsay, William Heslop, Hugh Lamb, John Gayd, Archibald Lyndesay, Stephen Litstar, James Abarerumby, Ralph Rutherford, and David Gudsone.

Two seals:

- (1) Sir Adam Sim : Two wolf heads erased contourné in chief, and a chalice in base, with a star in middle chief. Foliage at top and sides of shield. Legend (caps.): S. DOMINI. ADAME SIME. Diam. $1\frac{5}{8}$ in.
- (2) Holyrood abbey ; Robert Stewart, commendator : Three canopied niches supported by slender columns. In the centre, the Saviour on the cross with rayed nimbus ; above His head a scroll inscribed with the initials I.N.R.I., between an estoile and an increscent, the background enriched with foliage. At the sides the Virgin and St John the Evangelist, each with nimbus. Beneath, on a throne with arcaded back, the Virgin with crown, seated, and holding the Child on her right arm, both with nimbus. Under this is a shield bearing the arms of the commendator, viz., a lion rampant within a royal tressure, on the dexter a crozier, on the sinister a stag with a cross between its antlers, and over these on each side two thistle heads. Legend (Goth. l.c.): S. coe monasteri. sce. cruce. de. edinburg. Pointed oval : $3 \times 1\frac{1}{2}$ in.

9th February 1545-6.

40. Instrument of Sasine following on the preceding charter taken on 9th February 1545-46 in the hands of Alexander Makneyll, clerk, of the diocese of St Andrews, notary public, upon the sasine given by sir Adam Sym in presence of William Craufurde bailie of the regality and barony of Brochtoun, to Andrew Thomsoun and Margaret Smeberd his spouse. Witnesses: sir Adam Gilby, John Young, Robert Logane, Robert Craufurde, John Blakburne, William Blackburn, John Wilsoun senior, and John Portuis, notary public.

Seal of sir Adam Sym gone ; but a detached seal of his in possession of the Society may belong to this instrument.

20th May 1546.

41. Letters patent of Robert [Stewart] "abbot of the abbey of haly croce besyd Edinburgh" made at the instance of Thomas Alansoun, "dekyn and kirkmaister of the tailzeour craft within our burgh of the Canongait," and with him "certane maisteris of the samyn craft," confirming certain statutes, articles, and rules they had devised for the welfare of the craft and profit of the burgh and lieges and for "the augmentatioun of divine service at ane altare biggit within our said abbey quhair Sanct An thair patroun standis"; and also granting that the "tailzeouris duelland within our regalite in the toun of

Leith upoun the north syde of the water of the samyn, Sanct Leonardis gait and besyde our chapell of Sanct Niniane" shall be in brotherhood and fellowship with the "dekyn and maisteris of the said craft," etc. At Halyrud hous, 20th May 1546. Witnesses' names not filled up. (Signed) Robert, commendator of Halyrud house. [In the vernacular.]

Seal of Cause of Robert Stewart, commendator of Holyrood : An ornamental shield with crozier behind it and initials R. S. at sides, bearing arms ; a lion rampant debriused by a ribbon, within a royal tressure. Legend (caps.) commencing at middle of sinister side : S. ROBERTI STEVAR. COMENDATOR SANCTI. CRVCIS. Diam. 2 in.

14th November 1548.

42. A Precept of Sasine directed by Richard, abbot of the monastery of S. Columbe of the Island of Emonia (Inchcolm), in the diocese of Dunkeld, to John Tyre and William Abircrummy, his bailies in that part, for giving sasine to Alexander Scot and Margaret Couper his spouse, the longer liver of them, and the heirs of the said Alexander, of two roods or particates of land in the west part of the town of Abirdour between the lands of the heirs of umquhile John on the east and the common lands of the monastery on the west, from the highway, according to the tenor of his charter made thereupon. Given at his house of Dunbyrsill, 14th November 1548. (Signed) Ricardus abbas divi Columbe.

Seal gone. The blanks are occasioned by the partial decay of the parchment. Presented by Thomas Ross, F.S.A. Scot.

29th October 1549.

43. Precept of Sasine directed by sir George Clappertoun, provost of the collegiate church of the Holy Trinity near Edinburgh, and the prebendaries and chaplains thereof, to James Hoppringill and Andrew Balfour, their bailies in that part, for giving sasine to John Mowbray in Ovir Crawmonde and Elene Doby his affianced spouse, and the longer liver of them,—of the half of the land or tenement of umquhil Patrick Watson with the pertinents lying in the town of Leyth on the south side of the water thereof, between the land of umquhile William Clerk on the south, the land of umquhile Thomas Broun on the north, and the land of umquhile Robert Barcar on the west, in the batony of Restalrig and sheriffdom of Edinburgh,—on the resignation of Alexander Doby in Crawmond, and according to the tenor of the charter made by the said provost to the said spouses. At the said College, 29th October 1549. (Signed) Alexr. Henrisoun, magister hospitalis manu propria ; Georgius Clappertoun, prepositus Sancte Trinitatis prope Edinburgh ; Davit Sym, manu propria ; Willelmus Zoungar, manu propria ; Johannis Leithquow ; Johannes Bannatyne, manu propria.

Part of the seal of the chapter of Trinity College church remains : Within a renaissance canopied niche a representation of the Trinity. Beneath, a shield bearing arms : a cross pattée. Legend (caps.) : S. CAPITVLI COLLEGIATE ECCLIE SCE TRINITATIS PR ED. Pointed oval : $2\frac{1}{8} \times 1\frac{1}{8}$ in.

26th June 1550.

44. Letters of Induction directed by Patrick, bishop of Moray, to sir John Waus, chaplain, or other chaplain duly required to the execution thereof, for inducting sir James Buchear, presbyter, of the diocese of Ross to the perpetual chaplainry of St. John Baptist within the parish kirk of Invernes in the said diocese of Moray, to which he had been presented by Alexander Fraser lord of Lovet, and the provost and bailies of the burgh of Invernes, vacant by decease of umquhile sir William Baldone, last chaplain and possessor thereof. At Frostersate, 26th June 1550. Witnesses: Alexander Fraser, lord of Lovet, M. Hepburn, rector of Dalry, M. James Strathachin, rector of Balhalvy, James Innes of Drany, sir William Dow, presbyter, and sir James Sibbald, notary public. Attested by John Gibsone, presbyter of the diocese of Moray, notary public. Execution indorsed, dated 4 July 1550 and attested by Patrick Anderson, notary public.

Seal of Patrick Hepburn, bishop of Moray, and commendator of Scone. On a large bracket, a renaissance porch divided into three niches by round pillars. In the centre, under a canopy and with background diapered, a representation of the Trinity, the head of the Father veiled, and three trefoils on each side. In the dexter the Virgin with crown, holding the Child on her right arm. In the sinister, St Michael with upraised sword in his left hand, and shield on his right, standing on the devil. Beneath and in front of the bracket, a shield ensigned with a mitre and bearing arms: on a chevron two lions pulling at a rose, a star in base. At sides of bracket, branches of foliage. Legend (Goth. caps.): S PATRICII HEPBURN EPI MORAVIEN AC COMENDATarii DE SCO. Diam. $2\frac{1}{8}$ in.

29th September 1550.

45. A Letter of Reversion by which Thomas Carrike and Jonet Richartsoun his spous bind themselves to reconvey to Johnne Livintoun of Saltcottis, 10 acres of land with the pertinents in the Hardriggis within the barony of Dirltoun sheriffdom of Edinburgh and constabulary of Hadingtoun, sold by him to them by charter and sasine,—on the condition that “on ane day betuix the sone rissing and ganging to of that ilk (*i.e.* between sunrise and sunset), in the parochie kirke of Northberuik upon Sanct Sebastiane alter thair situat,” he pays to them or their heirs or assignees the sum of “levin score merkis sax merkis and nyne schillingis gude and usuale money of Scotland,” and at the same time deliver to them a tack of the 10 acres for one year at a rent of 10 bolls of malt. At Northberuik, 29th September 1550. Witnesses: Johnne Mayar, William Levintoun, Johnne Levintoun, Johnne Newtoun, Johnne Quhitlaw, sir James Cowden, and sir Alexander Quhit, notary public. Signed notarially for the granters by sir Alexander Quhit, chaplain and notary public. [In the vernacular.]

Seals of the granters gone.

4th October 1553.

46. Instrument of Resignation and Sasine taken on 4 October 1553 in the hands of Alexander King, notary public, of the diocese of St Andrews, of the

half of a tenement or front land on the north side of the High Street of Edinburgh between the tenement of umquhile William Rynd on the west and the tenement of umquhile Adam Strauchin on the east ; and also a back land then waste and burned lying within said tenement and contiguous to said front land on the south and the land of umquhile Stephen Bell on the north : Sasine given by William Lausoun, one of the bailies of Edinburgh, to William Mureheid, burgess of Edinburgh, and Katherine Windezettis his spouse and the longer liver of them, on the resignation of Archibald Dewar burgess of Edinburgh, and conform to the tenor of a charter made thereon : reserving the liferent of Marion De relict of umquhile George Leche (or Lethe). Witnesses to the Sasine : Master Clement Litill, James Cranstoun, James Andersoun, John Recherdsoun and William Cowttis, serjeands of said burgh.

Bailie's seal gone.

21st August 1554.

47. Instrument of Sasine taken on 21st August 1554 in the hands of Thomas Lessellis, clerk, of the diocese of St Andrews, notary public, upon the sasine given by Thomas Portuis junior, as superior, to M. George Portuis and Margaret Fortoun his spouse, of a tenement with the pertinents lying in the town of Dalkeith on the north side of the high street thereof, between the tenement of Alisone Bowstoun on the east and the tenement of Alexander Woid on the west. Witnesses : Thomas Scheall, Patrick Dawsoun and John Brothyrstanis.

29th May 1556.

48. Instrument of Cognition and Sasine taken on 29th May 1556 in the hands of Alexander King, notary public of the diocese of St Andrews, in favour of Thomas Patersoun "nevo" and heir of umquhile Thomas Patersoun, burgess of Edinburgh, of an annualrent of 8 merks furth of a land sometime belonging to umquhile John Hopper and then to the heirs of umquhile Archibald Williamson lying on the north side of the High Street of Edinburgh, between the land of umquhile William Andersoun on the east and the lands of the said heirs of Archibald Williamsoun (*sic*) on the west ; and also an annualrent of 40 shillings furth of a tenement of land sometime belonging to Hugh Bar and then to the heirs of the said Archibald Williamsoun lying on the south side of the market cross of said burgh between the land of umquhile John Swift and the passage on the east, the lands of the heirs of umquhile John Adamsoun on the west, the land of the heirs of umquhile John Cant on the south and the land of umquhil William Goldsmyth then to the heirs of umquhil William Andersoun on the north [see No. 36 preceding] : Cognition and Sasine given by Richard Carmichaell, one of the bailies of Edinburgh, to Andrew Cor as attorney and in name of the said Thomas Patersoun as heir foresaid. Witnesses : Adam Logane, brother-german to John Logane of Coitfield, William Boithuill, burgess of said burgh, and George Gourlaw, serjeand.

Bailie's seal gone.

9th June 1558.

49. Feu Charter granted by Thomas [Campbell] perpetual commendator of the Monastery of Holywood and the convent thereof in favour of John Charteris

in Reddingwode, his heirs and assignees, of 2 merk lands of Little Spaiddocht, of old extent, lying in the barony of Haliwode and sheriffdom of Drumfres, then held by the said John of the granters in lease and extending in their rental in ferme and gressum to 3 merks 3s. 4d.: To be holden *de nobis*: Rendering therefor yearly the sum of 4 merks Scots in name of feu farm and in augmentation of their rental the sum of 3s. 4d., extending in whole to 4 merks 3s. 4d., the heirs of the said John doubling the feu farm the first year of their entry. Dated at the Monastery, 9th June 1558. (Signed) Thomas commendatarius Sacri-nemoris; Joannes Welch, supprior Sacri-nemoris manu propria; Joannes Logan, manu ppa; Villelmus Hannay, manu ppa; Arthur Hamyltone, manu ppa; Thomas Roxburch, manu ppa; Joannes Cairele, manu ppa; David Welch, propria.

Seal of Holywood Abbey. A conventional tree bearing three acorns, with a bird on the sinister branch, flanked by two estoiles wavy in base. Legend (Goth. caps.): S COE ABBIS ET CONVENTI SAC NEMORIS. Beaded borders. Diam. 2 in.

28th July 1563.

50. Charter of Confirmation under the Great Seal of Mary, Queen of Scots, of a Feu Charter (dated 22nd July 1563) granted by Robert commendator of the monastery of Dunfermling, archdeacon of St Andrews, with consent of the convent to M. Robert Richardsoun, prior of St Mary's Isle and treasurer of Scotland,—of the lands of Orchard and other lands and subjects in the sheriffdoms of Clackmannan, Linlithgow and Fife. Dated at Denune 28th July 1563. Witnesses: James earl of Mortoun, lord Dalkeith, chancellor; William earl Marischal, lord Keith; Richard Maitland of Lethingtoun, knight, keeper of the privy seal; M. James M'Gill of Rankelour-Nethir, clerk of the rolls, register and council; and John Bellenden of Auchnoule, knight, clerk of justiciary.

The seal is gone.

See the Register of the Great Seal, vol. iv. No. 1477.

6th August 1563.

51. Procuratory of Resignation by John Cathcart of Carloun directed to the Queen as Princess of Scotland and Countess of Carrik, resigning into her hands as superior, 2 merks worth of the lands of Enoch, 4 pounds worth of the lands of Killubis, Tirveir, Tirlodden, Drymeynnie et cruifs de Gervane, 40s. worth of the lands of Knokbane, a merk's worth of Knokleyne, 40s. worth of the lands of Pinmoir occupied by Gilbert M'Crubin and Andrew M'Clymont and 10s. worth of the lands of Balgearg, in property and tenandry, of old extent, lying in the earldom of Carrik and sheriffdom of Are; constituting John Johnestoun his procurator for that purpose for new infestment in favour of himself and Helen Wallace his spouse. At Killunquhen, 6th August 1563. Witnesses: Alan Cathchart in Balsaluch, Thomas Cathchart his brother and James Ros in Mayboill. (Signed) Jhone Cathcart of Kereltoun.

Seal gone.

Cf. Register of Great Seal, vol. iv. No. 1485.

6th December 1563.

52. Precept of Clare Constat directed by Eduard lord Creichtoun of Sanchar to Robert Creychtoun tutor of Craufurdoun, bailie in that part, for giving sasine to John Creichtoun as heir of his father John Creichtoun of Craufurdoun,—of the 6 merk lands of Stewartoun of old extent in the barony of Craufurdistoun *alias* Balmakane in the sheriffdom of Drumfreis. At Edynburch, 6th December 1563. Witnesses: James Douglas of Drumlanerik, knight, John Gordone of Apilgirth, and M. Robert Crechtoun rector of Sanchar. (Signed) Eduardus dominus Crechtoun de Sanquhar.

Presented by R. Riddell of Glenriddell.

Seal of the granter: Quarterly, 1 and 4, a lion rampant; 2 and 3, a water budget (Ross). Foliage at top and sides of shield. Legend (Goth. l.c.): S. ed[ua]rdi creichtoun de [sanq]vher. Diam. $1\frac{5}{8}$ in.

4th March 1563–64.

53. Letters of Legitimation under the Great Seal of Mary Queen of Scots in favour of James Abirnethy, bastard son of Alexander Abirnethy in Nathirdule,—giving and committing to him free power, faculty and special license, in sickness or in health, freely to dispoise upon his lands, and possessions whatsoever and upon all and sundry his goods moveable and immoveable, his bastardy and the royal privilege of escheats of bastards notwithstanding, for exercising all lawful acts, and enjoying all dignities, privileges, offices, honours, lands, heritages and possessions as if he had been lawfully procreated: And if it should happen that he should die without lawful heirs of his body or without lawful disposition of his heritages and goods, decerning and ordaining that his nearest agnate or cognate on his father's or mother's side should succeed as heir to him. At Edinburgh, 4th March 1563–64. A.R. Mary, 22.

Great seal of Mary; nearly entire.

Obverse.—The Queen sitting on a bench-shaped throne with carved scroll ends, beneath a canopy of drapery ornamented with heads of cherubs and tassels; in her right hand a sceptre erect terminating in a hand, and in her left another terminating in a fleur-de-lis. On her head is an arched crown, and her feet rest on two cushions, below which are wavy sprigs of foliage. Legend (caps.): MARIA DEI GRA. REGINA SCOTORVM DOTARIA FRANCIE.

Reverse.—An ornamental shield bearing impaled arms—*dexter*, three fleurs-de-lis dimidiated (France); *sinister*, a lion rampant within a royal tressure complete (Scotland). Above the shield an imperial crown. The shield is encircled by the collar of the French order of St Michael. Supporters: two unicorns, each gorged with a crown, chained, and holding a spear with flag bearing arms a saltire surmounted at the fess point of an open crown. Background ornamented with foliage. Legend (caps.): SALVVM FAC POPVLVM TVVM DOMINE. Diam. $4\frac{6}{16}$ in.

9th August 1565.

54. Letter of Tack by Michael [Balfour], commendator of the abbey of Melros with consent of his chapter, by which in consideration of certain sums

of money paid for the reparation, "beitling and mending" of the abbey by Thomas Kirkpatrik of Alisland they let to him, his heirs male, assignees and subtenants, the teind sheaves, fruits, rents, "proventis, obventionis, delationis and emolumentis" of their part of the parish kirk of Dunseoir in Nythidsaile, sheriffdom of Drumfreis, for 19 years following the feast of the Invention of the Holy Cross called "Beltane" 1567, which term is to be the end of the existing tack held by the said Thomas. The yearly rent £20 Scots at Lammas and Martinmas. Signed in the abbey, 9th August 1565. Witnesses: Johnne Kirkhaw(?) of Lodaywell, Harie Kirkpatrik and William M'faidzen. (Signed) Michael, commendatarius de Melros; Jhone Watsoun, supprior; Jhone Vatsoun, youngar; Gorge Weir, James Ramsay, Bernard Bowstan, Jhone Fourros, Thomas Halywell. A memorandum in Latin, signed "Alexr. Bellentyne," states that for this tack a composition of 80 merks was paid to the abbot and 12 merks to the monks. [In the vernacular.]

Chapter seal entire, but broken across and partly defaced: A canopied niche divided horizontally into two compartments. In the upper, the Virgin crowned, seated on a bench holding on her right knee the Child with nimbus standing, and in her left hand a book; arced in background. In the lower, under a rounded arch, an abbot kneeling to dexter holding a crozier in front of him, a small "w" behind him just above his feet (perhaps for St Waltheus, the abbot). At the sides, pinnaced niches resting on masoned corbels. In the dexter, a half-length figure of St Peter with nimbus, holding in his right hand a key and in his left a book. In the sinister, a half-length figure of St Paul with nimbus, holding in his right hand a book and in his left a sword resting on his shoulder. Legend (Goth. caps.): s. COMUNE: CAPITULI MONASTERII: DE: MELROS. Outer border beaded. Pointed oval: $2\frac{1}{8} \times 1\frac{1}{8}$ in.

14th March 1567-68.

55. Instrument of Sasine taken on 14th March 1567-68 in the hands of George Cok, clerk, of the diocese of St Andrews, notary public, in favor of sir Thomas Diksone vicar of Torphicane, feuar of the lands aftermentioned,— of the 4 merk lands of old extent of Barscaven, then occupied by Mathou Adam and James Hoggert, lying within the regality of the monastery of Paisley and sheriffdom of Renfrew: Proceeding on the precept of sasine contained in a Feu Charter (dated at the monastery 13th March foresaid) granted by John [Hamiltoun] archbishop of St Andrews, abbot of said monastery, and the convent thereof; containing a feu-duty of 4 chalders of horse corn of the smaller measure, or in the option of the feuar the sum of 20d. Scots for the equivalent bolls of the same corn extending in whole in money to 8 merks, and also for payment of 6s. 8d. for "pultre" and carriages, and 6s. 8d. in augmentation of the rental of the monastery in consideration of the perpetuity of the feu. Sasine given by William Hamiltoun, servant of the said archbishop, as baillie in that part. Witnesses: Mr William Bane, vicar of Estwod, John Gylcris, George Chery, John Dikson, John Skirling, servitors of the archbishop.

31st March 1570.

56. Charter in feu-farm granted by sir Thomas Greg, chaplain of the chapel founded by Alexander Currour, vicar of the parish kirk of Dunsyar, and John Logtoun chaplain, at the altar of St Nicholas in the collegiate kirk of St. Giles of Edinburgh, narrating that the tenement aftermentioned having become ruinous and in great part uninhabitable, and that the expense of restoration was greater than he could afford, he therefore with consent of John Stewart of Cragyhall, knight, patron of the chapel, gives and grants in feu farm, to Walter Stewart son of the said John and the heirs male of his body, the land and tenement with pertinents belonging to the said chaplainry lying on the north side of the street of the burgh of Edinburgh between the lands of umquhil Simon Nuddry then to Boithuell on the east and the lands of umquhile Lancilot Abirnethie then belonging to the heirs of John Symsonne burgess of Edinburgh on the west, the High Street on the south and the North Loch on the north parts : To be holden of the granter and his successors in the chaplainry for payment of the yearly feu-ferme of 6 merks,—containing a precept of sasine directed to David Forestir, bailie of Edinburgh. At Edinburgh, 31st March 1570. Witnesses : M. James Seytoun, rector of Quhitsu, James Harlaw, writer, Alexander Guthre, common clerk of Edinburgh, and the said David Forestir. Signed by sir Thomas Greig, and notari ally by James Harlaw, notary public, for John Stewart.

Part of Stewart's seal remains. The granter's is gone.

31st March 1570.

57. Instrument of Resignation and Sasine following on the preceding charter taken in the hands of Alexander Guthre, notary and principal clerk of the burgh of Edinburgh. Giver of Sasine, David Forster one of the bailies. Witnesses : John Young, writer, James Harlaw, writer, Andrew Bartrahame, Patrick Baroun and George Mowbray, officers.

7th April 1570.

58. Charter by James earl of Mortoun, lord of Dalkeith, etc., in favour of Margaret Carnis, daughter of George Carnis in Dalkeith, and betrothed spouse of James Cas, son and heir apparent of John Cas in Dalkeith, for her liferent,—of the half part and the fourth part of a "tenement cottage" and pertinents lying in the town of Dalkeith on the north side thereof between the tenement of umquhile John Flemyng then belonging to sir John Rolland on the east and the tenement of David Turnbull on the west, in the regality of Dalkeith and sheriffdom of Edinburgh : On the resignation of the said James Cas : To be holden for payment of 10s. yearly and 3 suits at the chief (regality) courts at Dalkeith. Containing a Precept of Sasine. Dated at Dalkeith, 7th April 1570. Witnesses : John M'Morane, brother of the laird of Glaspain, William Mow, one of the bailies of Dalkeith, John Reid and George Auchinlek, servitors to the earl, and James Millar, notary. Signed by the Earl.

Seal gone.

[Before 1571.]

59. Tak granted by Johnne Kynnard, vicar of the parish kirk of Carstaris, with consent of the dean and canons of the metropolitan kirk of Glasgow, to George Dowglas, lawful son to George Dowglas of Parkheid, his heirs, assignees and subtenants,—of the vicarage of said parish kirk with houses, etc., teind sheaves and other teinds and other emoluments and duties thereof, for 19 years following the date thereof: Paying therefore yearly the sum of . Without date, and signed only by the granter. [In the vernacular.]

The seals of the granter and the common seal of the consenters, if ever appended, are gone.

2nd June 1572.

60. Charter in feu farm granted by James Sandilands, lord of Torphichin, in favour of John Eistoun in Scottonflatt, his heirs and assignees whomsoever,—of 50s. worth of the lands of Scottonflatt with the pertinents lying in the barony and regality of Torphichine and sheriffdome of Linlithgow, and then occupied by the grantee: To be holden *de me*: Paying therefor yearly the said sum of 50s. and for each merk of that sum an addition of 6s. 8d. in augmentation, extending in whole to 3 lib. 15s.; 3 poultry, and 5 pecks of horse oats, extending in whole to 11½ poultry and 18¾ pecks of oats; together with all carriages, services and darg days, aucht and wont and contained in the rental, during the lifetime of the said James Sandilands, and after his decease the tenants to be bound only for each merk's worth of said lands annually to render to his heirs and successors 4 long carriages of 12 miles or as many short carriages as may correspond thereto and be required, and if not required, shall pay for each long carriage not required 30d. of feu-farm, doubling the said payment in money and goods (poultry and oats) on the entry of each heir and assignee; and paying to the mill of Torphichin the accustomed astricted multure and sequels,—with clause of irritancy in the event of non-payment: Containing a precept of sasine directed to John Brown. At Abirdour, 2nd June 1572. Witnesses: James Polwarth of Cowstoun, Alexander Sandilandis, James Cocherane, Walter Mure and John Browne, servitors to the granter. Signed by the granter.

Seal gone.

16th June 1572.

61. An acquittance by James, lord of Torphichine, to John Eistoun in Scottonflatt, for 11 score merkis in payment of the composition due to the granter for setting to him in feu ferme the 50 shilling land of the lands of Scottonflatt, lying in the barony of Torphichine and sheriffdom of Linlithgow. At Aberdoure, 16th June 1572. Witnesses: Alexander Sandilandis, Thomas Bynne, James Cocherane, Walter Mure and John Browne. (Signed) Torphichen. [In the vernacular.]

No seal.

22nd July 1572.

62. Charter of Sale by John Eistoun in Scottonflatt, to John Auld and Margaret Dik his spouse, and the longer liver of them and their heirs and assignees whomsoever,—of an annual rent of 9 lib. furth of the 50s. lands of

Scottonflat, in the barony and regality of Torphichine and sheriffdom of Linlythgw. To be holden *de me* for payment of 1d. in name of blench farm. At Linlythgw, 22nd July 1572. Witnesses: John Glen in Wodside, James Glen in Torphichine, Patrick Glen, burgess of Linlythgw, Robert Auld in Balmaheew, Henry Thowmis, and Nicholas Thowmis, notary public. Subscribed notarially by Nicholas Thowmis.

Seal gone.

20th February 1572-73.

63. Instrument of Sasine taken on 20th February 1572-73 in the hands of Nicholas Thowmis, clerk of the diocese of St Andrews, notary public, in favour of Thomas Eistoun and Issobelle Bynne his spouse and the longer liver of them in 2 merkis worth of the lands of Wodside in the barony and regality of Torphichine, and sheriffdom of Linlithgow, then occupied by the said Thomas: Proceeding on a precept of sasine directed to James Steinstoun of Hirdmanschelish, as bailie in that part, contained in a Charter (dated at Edinburgh, 28th January 1572-73) by James lord of Torphichen. [Witnesses to the charter: Thomas Inglis, Kentigern Andersoun, Hector Patersoun and Thomas Mowett, servitors to lord Torphichen.] Witnesses to the Instrument: Hector Patersoun, Gavin Hamiltoun in Breych Grange, John Hardlaw in Caldourmuir, James Steinstoun junior, and John Graig *alias* Gardinar.

22nd December 1573.

64. Instrument of Sasine taken on 22nd December 1573 in the hands of Herbert Cunynghame, of the diocese of Glasgow, notary public, in favour of Andrew M'Kynnay,—of the 10 shilling lands of Skinfurd, lying within the barony of Halywod and sheriffdom of Drumfreis: Proceeding on a precept directed to John Welsche of Collistoun as bailie in that part, contained in a Feu Charter granted by Thomas Campbell, commendator of Holywood, dated at the monastery thereof 23rd November 1573. [Witnesses to the Charter: Kentigern M'Ghee, vicar of Holywood; John Welsche, William Murheid, Cuthbert Welsche and Adam Scot.] Sasine given by the bailie on the ground of the lands. Witnesses: John Greirson, Cuthbert Welsche, George Young, Robert Greirson, and James Young.

The instrument is attested by the seal of the monastery, of which only a fragment remains, and is signed by the commendator and vicar.

Seal same as on Charter of 9th June 1558 *ante*.

25th December 1573.

65. Instrument of Cognition, Resignation and Sasine taken on 25th December 1573, in the hands of Alexander Guthrie, notary public and principal clerk of the burgh of Edinburgh, narrating that in his presence and that of the witnesses underwritten, Alexander Uddart, one of the bailies of the burgh of Edinburgh, proceeded to the fore land of umquhile John Dee lying on the north side of the High Street of Edinburgh between the land of umquhile William Rynde on the west and the land of umquhile Adam Strauchane on the

east, and there cognosced and entered John Chalmer burgess of the said burgh as attorney and in name of James Carmichaell son and heir of umquhile David Carmichaell and Agnes Rentoun in and to an annualrent of 40s. furth of the said fore land ; and thereupon the said John Chalmer as procurator for the said John Carmichaell (conform to instrument of procuratory by Mr John Foullis, notary public, dated at Edinburgh 14th November 1573), resigned the said annualrent in the hands of the bailie, who then at the special desire of the resigner gave sasine thereof to John Richesoun, saddler, burgess of said burgh, his heirs and assignees, who having similarly resigned, sasine was thereupon given to Alexander Maisoun his heirs and assignees. Witnesses : John Forester, M. Alexander Logye, Malcolm Hog, and John Roger, serjeand.

The bailie's seal is gone.

5th January 1573-74.

66. Charter of Sale by John Richartsoun, saddler, burgess of Edinburgh, to Alexander Masoun second son of umquhile Alexander Masoun, goldsmith, burgess of Edinburgh, of the annualrent mentioned in the preceding instrument. At Edinburgh, 5th January 1573-74. Witnesses : William Stewart, junior, notary, Archibald Geddes, William Huchesoun and John Huchesoun. Subscribed notarially by Alexander Guthrie, notary.

20th August 1576.

67. Charter in feu farm granted by James Sandelandis lord of Torpheching, in favour of Alexander Eistoun second son of Thomas Eistoun in Wodsyde, and to Jonet Dinmour his spouse and the longer liver of them, and the heirs lawfully procreated or to be procreated between them, whom failing the heirs and assignees whomsoever of the said Alexander,—of 2 merks worth of the lands of Wodsyde with the pertinents lying in the barony and regality of Torpheching and sheriffdom of Linlithgow, and then occupied by the said Thomas : Which lands belonged of before to the said Thomas and umquhil Isobell Bynn timer his spouse, and were resigned in the hands of the granter as superior thereof under reservation of the liferent of the said Thomas : To be holden *de me*,—paying therefor duties aucht and wont as contained in charter to the said Thomas and spouse, viz. : 2 merks of feu farm, and in addition for each merk's worth of the said lands the sum of 6s. 8d., extending on whole to 3 merks ; and for each merk of the said 2 merks, 3 poultry and 5 pecks of horse oats, extending in whole to 6 poultry and 10 pecks of oats ; with all other and accustomed services, carriages and darg days during the life of the granter, and as to carriages after his death, four long carriages of 12 miles or as many equivalent short carriages as may be required, and if not required, for each long carriage 30d. of feu farm ; with astricted multure, &c., as in the charter of 2nd June 1572 : Containing a precept of Sasine directed to William Lochcoitis *alias* Symson. At Halzardis, 20th August 1576. Witnesses : Thomas Inglis of Auldlistoun, Gavine Dundas of Preistmyln, David Martyne and John Gardiner, servitors to the granter, and Andrew Ker, notary public. Signed by the granter.

Seal gone.

4th September 1576.

68. Instrument of Sasine on the preceding charter taken on 4th September 1576, in the hands of Andrew Ker, clerk of the diocese of St Andrews, notary public, in favour of Alexander Eistoun, second son of Thomas Eistoun of Wodsyde and Jonet Dinmoure his future spouse. Witnesses to the Sasine: Archibald Dymmour, Alexander (remainder blank).

8th January 1581-82.

69. Extract Act of the Sheriff Court of Kincardin holden at the Castlestead of the same on the 8th January 1581-82 by Robert Keith of Canterland and Robert Arbuthnot of Litill Futhate, deputes to George earl Marscheall, lord Keith, sheriff principal of Kincardin, upon a brief from Chancery produced by James Johnstoun procurator for George Johnstoun of that ilk, directed to the said sheriff and his deputes and duly executed and endorsed by James Strathachin, official and mair of the said sheriffdom, and upon a petition of the said George,—setting forth that he had been served heir to his grandfather umquhil James Johnstoun of that ilk, who died in 1549, in his lands and annual rents, before the sheriff of Aberdene, and claiming to be served and retoured as heir to his said grandfather in an annualrent of 4 merks furth of the town and lands of Hiltoun of Lumgear, lying within the barony of Dunnottir and sheriffdom of Kincardin. Which claim was submitted to the following inquest, viz.: David Ramsay of Balmane, John Wischert fiar of Pittaro, George Barclay of Matheris, sir Harie Graham of Cumistoun, knight, Alexander Falconer, apparent of Halkartoun, William Forbes of Logy, David Sibbald of Kair, John Arbuthnot of Mondynis, David Strathachin in Over Cragnestoun, William Barclay of the Kirklandis of Newdork, John Ramsay in Balmane, John Forbes in Cowlie, John Strathachin in Auchinble, Walter Ogilstoun of the Kirklands of Fethircarn, and James Forbes in Tilliboy, who retoured the said George Johnstoun as heir in the annualrent above mentioned. Whereupon the said James Johnstoun as procurator foresaid took instruments. Extracted furth of the booke of Acts of the said Court by Robert Mylne, notary public and clerk of the Court.

Seal of Court gone.

1st June 1582.

70. Feu Charter by Alexander [Colville], commendator of the monastery of Culros and the convent thereof, of the Cistercian Order, in the diocese of Dunblane, in favour of Adam Erskin, son of James Erskin of Litill Sauquhy, his heirs and assignees,—of a tenement of land and houses, yard or orchard thereof, with piece of land adjoining and teind sheaves of the same, between the lands of Valafeild and of umquhil Thomas Hall and the seashore on the east and south, the lands of James Chalmer on the west, and the lands of Byrfeild on the north, in the barony of Culros and sheriffdom of Perth: On the resignation of James Schawe of Sauquhy, knight: To be holden *de nobis*: Rendering therefor yearly the sum of 30 shillings Scots and 6 firlots of barley in name of feu farm, giving 3 suits yearly at 3 capital courts to be held within the monastery, and the heirs doubling the feu farm the first year of their

entry. Containing a precept of Sasine directed to James Calbrecht. At the Monastery, 1st June 1582. Witnesses: Archibald Dundas, James Prymros, and Robert Hurrall, servitors to the commendator, and John Westwater, notary public, cum diversis aliis. (Signed) Alexr. Commendatarius de Culros, Fr. Robertus Cristisoun, Fr. Robertus Dewquhir, Archibaldus Prymros, Walterus Miller.

Common seal of the monastery attached entire: Within a canopied niche with tabernacle work at sides and mason work beneath, a full length figure of the Virgin with crown holding on her right arm the Child, who has cruciform nimbus. At her dexter side and below the Child is a branch of foliage. Legend (Goth. l.c.): Sigillum. communi. monasterii. de. culros. Pointed oval: $2\frac{1}{8} \times 1\frac{1}{8}$.

6th September 1584.

71. Ratification by dame Jonet Murray, lady Torphiching, relict of James lord of Torphiching, and conjunct fiar with him of the lands aftermentioned with consent of Mr Johnne Grahme of Halzardis her then spouse, in favour of Johne Eston of Scotonflat, of a charter of feu farm dated 2nd June 1572 made by her late spouse to the said Johnne Estoun of Scottonflat, of 50s. worth of land of Scottonflat with the pertinents lying in the barony of Torphichyn and sheriffdom of Lynlythgw. At the Halyardis, 6th September 1584. Witnesses: Adam Hammiltoun, Archibald M'ellare(?), James Grahame and Robert Cunnynghame, servitors to the said Mr Johnne. Signed by the granters.

Seal gone.

20th February 1584-85.

72. Notarial Instrument taken in the dwelling-house of Henry Drummond of Richartoun within the burgh of Linlythw, on 20th February 1584-85, in the hands of Andrew Ker, clerk, of the diocese of St Andrews, notary public, and James Johnnestoun, co-notary, narrating the personal compearance before him and the witnesses aftermentioned, of Margaret and Agnes Polwarthis the two eldest daughters of James Polwarth of Coustounne lawfully procreated between him and umquhile Elizabeth Drummond their mother, who then declared that forasmuch as their father had obliged himself by contract to pay great sums of money in name of "tochergude" for them to Gavin Carmichaell spouse future to the said Margaret, and George Logane of Bonytone spouse future to the said Agnes, therefore they renounced and discharged for their heirs and assignees all right and claim "propirtie, possessione and kyndnes" that they had or might have to whatsoever lands, annualrents or goods "moveabill and immoveabill" by virtue of the contract of marriage (dated at Dumblane 15th May, and registered in the books of council 9th June 1561) between Jonet Creichtone lady Ricartoun relict of umquhile Hary Drummond of Ricartoun, M. William Creichtoun persone of Kilquhiddilstane, Charlis Drummond burgess of Linlithgw and the said umquhile Elizabeth their mother, on the one part, and the said James Polwarth their father on the other part, and in particular to the lands of Coustoun with the pertinents in the sheriffdom of Linlythgw and the half lands of Craig in the barony of

Ogilface within said sheriffdom. Witnesses: Henry Drummond of Richartoun, Charles Drummond of Kingisfeild, Walter Polwarth of Cathlaw, John Barclay, servitor of the said Henry, and James Johnestoun, co-notary. [In the vernacular.]

14th July 1587.

73. Letters under the privy seal of James VI. directed to all kings, princes ecclesiastical as well as secular, etc., desiring honorable treatment and safe conduct to Archibald Lamb, whom the king has commissioned to carry letters to Philip, King of Spain, etc. From Holyrood, 14th July, 1587, A.R. 20. Signed by the king.

Privy Seal (first) nearly entire: A lion rampant within a royal tressure.

Above the shield an arched crown with cap inside. Supporters: two lions, the dexter hind leg of each touching the outer border of the seal.

Legend (caps.): SIGILLVM SECRETVM IACOBI 6 DEI GRATIA REGIS SCOTORVM. Diam. $2\frac{8}{16}$ in.

31st May 1589.

74. Letters of Tak by Alexander Home of the Kems, takisman and fermarour to the abbot and convent of Newbothill, in favour of James Polwarth of Costoun, his heirs, assignees and subtenants,—of the teind sheaves of the lands of Coustoun, outsets and pertinents thereof, lying in the parish of Bathgait and sheriffdom of Linlithgow, for 19 years next after his entry at Lammas 1590: Paying therefor 10 merks yearly at Candlemas. At Linlithgow, 31st May 1589. Witnesses: Andrew Home in Dunbar brother to the said Alexander, Thomas Wolf apperand of Waddellie, George Home also brother of the said Alexander, Thomas Eistoun of Scottistounflat, Peter Tindall and Johne Hammyltoun, notary public. Signed by the granter, and by the witnesses Thomas Wolf, Andro Home, and Johne Hammyltoun. [In the vernacular.]

Part of the seal remains.

7th February 1589–90.

75. Notarial Instrument taken on 7th February 1589–90 in the chamber and under the hand of Andrew Ker, clerk of the diocese of St Andrews, notary public, setting forth the renunciation made by Jean Polwarth daughter to James Polwarth of Coustoun, lawfully procreated between him and Elizabeth Drummond her mother, in the same terms as the preceding Instrument of 20th February 1584–85, in consideration of her father having by contract obliged himself to pay great sums of money in name of a “tochergude” for her to James Hammyltoun of Parkheid. Witnesses: Henry Drummond of Richartoun, Charles Drummond of Kingisfeild, M. Ninian Drummond brother of the said Henry, James Hammyltoun of Boiggis, and James Hammiltoun and Patrick Sellar, bailies of the burgh of Linlithgw.

Although the renunciation bears to have been made in presence of “the notaries public and witnesses underwritten, the instrument is attested by Andrew Ker only; and a paper attached bears that the writer “proponit the

matter to the best men of law in Edinburgh anent Jeane Polwarthis renunciatioun being onlie under the subscriptioun and signe of umquhile Andro Ker, ane notar onlie, it was anserit that albeit she had never renunciit seing sche nor hir sisteris wes never infet, the gudman might sell the lands of Custoun in his awn tyme at his plesour as he did to my lord secretar and sche can be na air portioner to sic landis as wes disposit. This to be layd up with hir renunciatioun." The signature to this memorandum is doubtful, but may be J. or T. Crichtoun.

30th August 1592.

76. Precept of Clare Constat directed by William Littill, provost, James Nicoll, Archibald Johnnstoun, Thomas Fischar and William Smaill, bailies of the burgh of Edinburgh, and the councillors and community, superiors of the tenements aftermentioned, to the said Thomas Fischar, for infetting Walter Pennycuke as heir of his father umquhil John Pennycuke, indweller in Leith, in a tenement of land fore and back lying in the town of Leith on the south side of the water thereof in the barony of Restalrig and sheriffdom of Edinburgh (excepting a piece of wasteland at the back from which the stair ascends to the north hall of the back land of the tenement of umquhil James Livingstoun then belonging to William Lawsoun, lying between the front land of said tenement and the back lands of the same belonging to umquhil Edward Cokburne and the said William Lawsoun on the east, the lands of umquhil James Merchenstoun on the west, and the common ways on the south and north parts): Which tenement of land lies between the front land of the said umquhil James Livingstoun and the back lands thereof belonging to the said umquhil Edward Cokburne and William Lawsoun respectively on the east, the land of the said umquhil James Merchenstoun on the west, and the commonways on the south and north parts; also a house lying at the south end of the tenement of the said umquhil James Livingstoun between the yard on the north and the common way on the south, the yard of the said umquhil Edward Cokburne on the east and the lands of umquhil David Croyle on the west; and also a tenement of land fore and back with the pertinents lying in the said town of Leith on the south side of the water thereof, in the barony and sheriffdom foresaid, between the land of umquhil John Kar on the west and the lands of umquhil Thomas Mortoun on the east. At Edinburgh, 30th August 1592. Witnesses: Alexander Uduart, dean of gild; John Makmoram, treasurer; and John Arnot, Thomas Aikinheid, George Hereot junior, goldsmith, John Ballenden, skinner, councillors of the said burgh of Edinburgh. Signed by the provost and bailies (with the exception of Nicoll).

An indorsation bears that Sasine was duly given by the bailie to Walter Penycuke on the day following, in presence of William Smaill, bailie, John Gibsone junior, shipmaster in Leith, Thomas Dicksone junior, sailor there, James Alexander and Daniel Lene [Leyne] sergeands of the town of Leith.

Seal of Edinburgh for its town of Leith, only a third remains.

On the dexter a castle triple towered and embattled with windows and portecullis shut; on the sinister a ship with three masts and sails furled, and in front an anchor. Legend (caps.): SIGILLVM BVIRGI DE EDINBURGH VILLE SVE DE LEITH 150-. Diam. 2 $\frac{1}{8}$ in.

31st August 1592.

77. Certified copy or Extract from the protocol Book of umquhil John Guthrie, common clerk of the town of Leith, of an Instrument of Sasine following on the preceding Precept taken on 31st August 1592 in the hands of the said John Guthrie. Witnesses: William Smail, one of the bailies of Edinburgh; John Gibsone, younger, skipper in Leith; Thomas Diksone, younger, mariner, indweller there; James Alexander and Daniel Leyne, serjeands of Leith with divers others.

Certified by Patrick Glasfurd, then town clerk of Leith.

23rd November 1592.

78. Instrument of Sasine taken on 23rd November 1592 in the hands of James Tarbert, clerk, of the diocese of St Andrews, and Thomas Scott, co-notaries, in favour of Thomas Fentoun, servitor to the king, of a piece of land or ground lying outside the front entrance or "upper port" of Halyrudhous on the south side of the street, between the land and yard then belonging to Robert Gourlaw on the south side of the vennel leading to the back of said yard and the king's stables on the west, the highway on the north, and "the foirzet toure" on the east, which piece of land extends to 27 elns in length and $3\frac{1}{2}$ elns in breadth,—conform to a (feu) charter granted by the king in his favor: Proceeding on a precept of sasine under the quarter seal (dated at Halyrudhous, 13th November 1592) directed to William Hunter, sheriff of Edinburgh in that part. Sasine given on the ground of said piece of land by the said William Hunter. Witnesses: Robert Ros and Thomas Hunter, servitors to the king, Walter Mane (Maire?) and Hector Cranstoun.

See R.M.S. vol. V., 2195, 13th November 1592. The Sasine bears that the grantee presented the precept to *Thomas Hunter*, sheriff in that part.

19th July 1593.

79. Instrument of Sasine taken on 19th July 1593 in the hands of James Logane, clerk, of the diocese of St Andrews, notary public, in favour of Margaret Quhippo eldest daughter of John Quhippo, mariner, indweller in the town of Leith on the north side of the water thereof, in the said John's tenement of land fore and back, with yard and pertinents lying in the said town of Leith on the north side of the said water in the regality and barony of Brochtoun and sheriffdom of Edinburgh, between the land of umquhile William Dunino and then of his heirs on the west, the land of umquhile Adam Dais then to the heirs of umquhile William Downy, mariner, indweller in Leith on the east, the land or yard of the said William Dunino then of his heirs on the north, and the highway on the south: Proceeding on the precept of Sasine directed to William Porteous, messenger, dwelling in Edinburgh, contained in a charter (dated 19th July 1593) by the said John Quhippo with consent of his wife Agnes Logane, to the said Margaret: Reserving to the granter and the heirs male of his body allenarly a letter of reversion of the said tenement containing 1000 merks to be granted by the said Margaret and her heirs. [Witnesses to the Charter: George Logane, portioner of

Bonyntoun, William Porteous, messinger, William Banis and John Scott, wrights, indwellers in the said town, Archibald Lamounth and John Logane, writers, and James Logane, notary public.] The same persons (excepting the notary) are witnesses to the Sasine.

18th July 1594.

80. Charter of Confirmation by lady Jonet Murray, lady of Torphichin, of a Charter (dated at Torphichin, 15th May 1581) granted by John Eistoun of Scottinflat in favour of Thomas Eistoun his eldest son and heir apparent, his heirs and assignees,—of his 50s. lands of Scottinflat with the pertinents, etc., in the barony and regality of Torphichin and sheriffdom of Linlithgow. [Witnesses to the charter confirmed: Alexander Home in Denes, James Polwarth of Coustoun, Peter Polwarth of Hilderstoun, James Glen in Torphichin and James Johnnestoun, notary public.] Witnesses to the charter of confirmation: Adam Hammyltoun servitor to lady Jonet, John Dow *alias* Johnnestoun at Kirk of Foules, James Eistoun, notary, and Allan Steinsoun servitor to John Eistoun, writer. Signed by the granter and witnesses and by James Eistoun.

Seal of Jonet Murray, wife of Sir James Sandelands first lord Torphichen:

Three stars within a royal tressure. Foliage at top and sides of shield.

Legend (caps.): S. IONETE. MVRRAY. Diam. $1\frac{7}{8}$ in.

7th December 1594.

81. Letter of Tack by James [Douglas], commendator of the Abbey of Melros and the convent thereof with consent of King James VI. the patron of the abbacy, in favour of Robert Scott of Thirlestane for his lifetime, and after his decease to his nearest lawful heir for his lifetime, and after the heir's decease to his (the heir's) heirs and assignees whatsoever, for 19 years immediately following his decease,—of the Kirk of Ettrik called the New Kirk of Ettrik, with the teind sheaves and other teinds, fruits and rents thereof, parsonage and vicarage, pertaining to the granters as part of the patrimony and property of the abbey, lying within the lordship of Melros and sheriffdom of Selkirk; with entry at the date of the Tack. Paying therefor yearly the sum of 10 merks Scots. Dated at Halyruidhous, 7th December 1594. Witnesses: Archibald Douglas younger of Quhittinghame, Mr Richert Douglas his brother, Mr Williame Cranstoun younger of that ilk, James Douglas and Thomas Haitlie, servitours to the commendator. Signed by the King, the commendator, and dene Jhonne Watsoun "*only convent*," and the witnesses. Written in the writing booth of Adame Lawtie, writer in Edinburgh, by David Andersoun his servant.

Two seals: (1) Privy seal of James VI. same as No. 73 *ante*. (2) Melrose Abbey, same as No. 54 *ante*.

10th January 1595–96.

82. Charter of Sale granted by Jean Laynge relict of umquhile Patrik Cuik, tailor burges of Edinburgh, with consent of Alexander Cuik, her son and heir apparent (in implement of a Contract dated at Duncce on the same day)

in favor of William Fiddes junior, burgess of Edinburgh, and Bessie Spens his spouse, and the longer liver of them,—of a piece of land of the east croft of Bristo, with houses, yard and well thereof, lying between the land of umquhile Archibald Smyth on the south, the land of umquhile John Henrysone then of John Hog on the north, the east croft of Bristo on the east and the common highway on the west; and another piece of land of said east croft, with houses, yard and well thereof, containing 3 particates of land in breadth of front towards the west and 4 particates in length of tail towards the east, between the piece of land of umquhile David Alane *alias* Barber on the south, the piece of land of umquhile Patrik Fraser and then of James Thomsoun on the north, the common way which leads by the west side of the Kirk of the B.V. Mary of Field on the west, and the east croft on the east parts, in the lordship of Dalry, barony of Inverleith, and sheriffdom of Edinburgh: To be holden *de me* for payment of 2 pennies Scots in name of blench farm: Containing a precept of Sasine directed to Charles Dikeson one of the bailies of the barony of Inverleith. Dated at Edinburgh and Dunc, 10th January 1595–96. Witnesses: the said Charles Dikesoun, Robert Fortun and James Broun servitors to George Mak, writer, and Robert Prestoun, merchant and burgess of Edinburgh. Signed notarially on behalf of the granter Jean Layng. Her son also subscribes, designing himself sheriff clerk of Beruik.

The seal of the granter is entire and that of her son nearly so.

Seal of Jean Laing. Quarterly: 1 and 4 a pale, 2 and 3 three piles, at the fess point dividing the quarters, a roundle. Flowers at top and sides of shield. Legend (caps.): S IEANNE LEANG. Diam. $1\frac{6}{8}$ in.

Seal of Alexander Cook. A merchant's mark. Flowers at top and sides of shield. Legend (caps.): NDRI CVK. Diam. $1\frac{6}{8}$ in.

Indorsed is an attestation by George Mak, notary public, that Charles Dikesone, bailie of Inverleith, on 18th February 1595–6 gave Sasine to the grantees on the above charter.

22nd November 1596.

83. Instrument of Sasine taken on 22nd November 1596 in the hands of Andrew Ker, clerk, of the diocese of St Andrews, notary public, in favour of Peter Craufurd in Torphichen,—of an annualrent of 30 merks furth of the lands of Scottonflatt *alias* Brumepark, lying in the barony of Torphichine and sheriffdom of Linlythqu; on the precept of sasine contained in a charter (dated at Linlythquo 7th February 1595–96) granted by Thomas Eistoun, fiar of Scottonflatt and Jeanne Home his spouse. Sasine given by James Glen in Torphichen, bailie in that part. Witnesses: James Duncan in Torphichen, John Glen son of the said James, and Robert Stratherne in Streith.

16th October 1599.

84. Bond and obligation by David Dunlop of Halpland and his spouse Jonet Dunlop,—narrating that by charter and infettment following thereon they had set in feu farm to Neill Montgomerie of Langschaw his heirs and assignees, their seventh part of the 9 merk land of Watterland and Halkettis with the seventh part of the mill thereof, astricted multures and sequelis of the same, lying within the bailiary of Cunynghame and sheriffdom of Air:

To be holden of the granters for payment yearly of £5, 6s. 8d. to be doubled on the entry of each heir and assignee,—and acknowledging receipt and discharging the said Neill Montgomerie of certain sums paid by him to the granters over and above those mentioned in the charter, and in consideration thereof acknowledging payment, beforehand of the said feu farm and the double thereof at the entry of heir or assignee, and binding themselves and their successors to receive and infest the said Neill and his foresaids in the said seventh part lands and others without payment of the said double or other composition on entry, and also to deliver to them yearly and termly if required particular discharges of the said feu farm duty without further payment than that already received beforehand. Written by John Gilmour, Writer to the Signet. At the Kirktown of Stewartoun, 16th October 1599. Witnesses: Mr Robert Montgomerie, minister at Stewartoun, James Montgomerie of Cokilbie, Daniel Montgomerie of Kirkland Stewarton, and William and Mr James Montgomerie sons of the said Neill. Subscribed for the granters notorially by John Gilmour, notary.

Seals gone.

31st January 1601.

85. Certified copy of the Retour on an Inquest held in the tolbooth of Edinburgh, 31st January 1601, before Thomas Speir one of the bailies of the burgh, by the following assise, burgesses of Edinburgh, viz., William Napeir, Robert Hereis, George Bannatyne, Robert Ker, Andrew Craig, Mr James Nicholl, John Mitchelhill, John Landis, George Thoirbrand, Andrew Scott, Hugh Watson, merchants, captain John Ramsay, David Mauchane, James Wardlaw, tailors, and Cuthbert Mure, furrier,—finding that umquhile James Harlaw, clerk to the signet, father of Mr James Harlaw, writer in Edinburgh, died vest and seised in the lands, principal and warrandice, and annualrent underwritten, viz., a tenement of land of umquhile William Harlaw grandfather of the said Mr James, with yard thereof and pertinents on the south side of the Cowgait of Edinburgh, between the lands of umquhile David Heriot on the east and the lands of umquhile sir John Ramsay, knight, on the west, which tenement of land site and ground thereof were found to be the east half of the tenement of umquhile James Narne sold by him to umquhile William Harlaw greatgrandfather of the said Mr James, with the west stone gable of the front land of the said east half according to the tenor of the old investiture granted by the said James Narne, dated at Edinburgh 19th March 1482–83 and of the decret obtained at the instance of the said umquhile James Harlaw before the provost, bailies, treasurer, dean of guild and councillors of the said burgh against Katherine Sympsoun, relict of Robert Galbrayth regarding the property of the said east half tenement and west gable thereof, dated 23rd November 1582, for principal; and also the west half of the said tenement bounded on the west by the lands of umquhile David Dalrumpill and on the south by the croft of land of umquhile Adam Layng, in warrandice and relief of any annualrent; and also in an annualrent of 23s. 4d. furth of the front land of umquhile Peter March lying on the north side of the High Street of Edinburgh, in the close called “Kinloch Clois” between the land of umquhile the archbishop of Glasgow on the east, and the lands of umquhile John Cokburne and George Halkerstoun, burgesses of said burgh on the east and north: And that the said James Harlaw is the nearest

lawful heir of his father the said umquhile James (who died in the month of March 1586) in the said lands, etc.

Certified by John Wylie, notary public, and depute of Mr William Scott of Elie, director of Chancery.

19th March 1601.

86. Instrument of Sasine taken on 19th March 1601 in the hands of Alexander Lawsons, clerk, of the diocese of St Andrews, notary public, in favour of Thomas Eistoun as son and heir of umquhile John Eiston of Scottinflat, in the 50 shilling lands of Scottinflat with the pertinents lying in the regality and barony of Torphichen and sheriffdom of Linlithgow: Proceeding on a Precept of clare constat (dated at Edinburgh, 10th November 1599) directed by James Sandelandis of Calder, lord of Torphichen, to James Polwarth of Cowstoun, as his bailie in that part [Witnesses to the precept: James Tennand of Linhow, William Inglis of Eistscheill, John Inglis of Wester Harwod, his servitors, and the said Alexander Lawsons.] Witnesses to the Sasine: James Cochran of Barbachlaw, James Hammiltoun, portioner of Bathgait, James Hammiltoun dwelling in Boigcoit, Andrew Polwarth son of the said bailie, John Duncan dwelling in Burnetoun (or Bruntoun), and Hector Patersonsone sergeand of the said barony.

With certificate by Andrew Ker, sheriff clerk of Linlithgow, that the said sasine was presented by Johnne Eastone, writer to the signet, and registered on 22nd April 1601 in the secretary's register within the bounds of Linlithgow.

19th March 1601.

87. Instrument of Sasine taken on 19th March 1601 in the hands of Alexander Lawsons, and John Hammyltoun, clerks, of the diocese of St Andrews and notaries public, in favour of John Eistoun writer to the signet, and Margret Cant his spouse, and the longer liver of them, of the said 50 shilling lands of Scottinflat: Proceeding on a Charter of Sale (dated at Scottinflat *alias* Brumepark, 19th March 1601) by Thomas Eistoun of Scottinflat *alias* Brumepark and his spouse Jean Home, containing a precept of Sasine directed to James Polwarth of Coustoun as bailie in that part. [Witnesses to the Charter: James Cochran of Barbauchlaw, the said James Polwarth, Andrew Polwarth, his son, James Hamiltoun in Boigcoit, James Hamiltoun portioner of Bathgait, and John Duncane in Burntoun.] Sasine given to John Eistoun personally and to the said Andrew Polwarth as attorney for the said Margaret Cant. Witnesses to the sasine the same as in the preceding writ.

With similar certificate of registration in the Secretary's Register on 22nd April 1601.

25th May 1602.

88. Letter of Reversion by Alexander Tullidaff son to umquhile Andro Tullidaff of Raneistoun, by which on the narrative that Walter Cheyne of Arnage had sold and alienated to him the toun and lands of Blindburne with the pendicles and pertinents thereof lying in the barony of Arnage parish of

Ellone and sherifffdom of Abirdene, he binds himself and his heirs and assignees to renounce the said lands in favour of the said Walter Cheyne, his heirs male and assignees on payment by them to him of the sum of 3000 merks in St Nicholas kirk of New Abirdene. At Abirdene, 25th May 1602. Witnesses: James Cheyne in Hiltoun, Patrick Cheyne in Cauldwallis, David Aiddie burgess of Abirdene, Mr Patric Cheyne son to Mr Patrick Cheyne of Raneistoun, and George Barroun writer of the letter. Signed by the granter and witnesses. [In the vernacular.]

Seal gone.

On the margin is a marking that the writ was recorded in the Secretary's Register at Aberdeen on 19th June 1602.

27th May 1602.

89. Instrument of Sasine taken on 27th May 1602 in the hands of Mr Alexander Guthre, common clerk of the burgh of Edinburgh and notary public, in favour of Helen Diksoun, daughter and heir of umquhile Mr Thomas Diksoun, burgess of said burgh, in a back land, built and waste, with the yard and tail thereof of that tenement of Walter Stewart son of umquhile John Stewart of Craigiehall, knight, sometime pertaining to sir Thomas Greig chaplain of the chaplainry founded at the altar of St Nicholas in the kirk of St Giles by umquhile Alexander Curroun, vicar of Dunsyre, lying (the said back land) between the front land of the said tenement sold by the said Master Thomas to William Hereis, merchant, on the south, and the North Loch of the burgh on the north,—and which tenement lies on the north side of the High Street of said burgh [see No. 56]: Proceeding on a Precept from Chancery (dated at Edinburgh, 24th May 1602) directed to the provost and bailies of Edinburgh. Sasine given by Archibald Adiesone, one of the bailies of Edinburgh, to John Diksoun as attorney for the said Helene. Witnesses: Ninian Makmorrane, one of the bailies of the burgh; George Smyth, merchant; William Couper, tailor; Master John Hendersoun and John Bannatyne, servants of the said Alexander Guthre: Quintigern Bankis, William Rolloke and Alexander Strabrok, burgh serjeands.

9th June 1602.

90. Precept of Sasine (directer blank) by Thomas Eistoun son and heir of umquhile John Eistoun of Brumpark, and John Eistoun, writer, then of Brumpark, superior of the subjects aftermentioned, as required by divers precepts directed to them by sir James Sandelandis of Calder, lord of Torphichen, for infetting John Craufurd, burgess of Edinburgh, in houses, biggings, chambers and yards sometime occupied by umquhile Osuald Craufurd and thereafter by umquhile John Craufurd (father of the said first-mentioned John) and his spouse, with the pertinents lying within the territory of Torphichen and sherifffdom of Linlithgow, between the lands of umquhile Walter Polwarth on the south and west, the lands called the Burnlands on the north and the common way leading to the parish kirk of Torphichen on the east. At Linlythqw, 9th June 1602. Witnesses: George Bell, baker burgess of Linlythqw; Thomas Duncane in Bruntone; Thomas Johnestoun, son of Alan Johnestoun; Christopher Dunbar, indweller in said burgh; James Ros and

John Hamyltoun, notaries public. Signed by John Eistoun and George Bell, and notarially on behalf of Thomas Eistoun by the above-named notaries. Writer of the precept, Alexander Lawsone junior.

Seals gone.

22nd June 1602.

91. Charter granted by James Polwarth of Coustoun, whereby in implement of a marriage contract between himself and his eldest son James Polwarth, on the one part, and Thomas Levingstoun of Haning and his daughter Elizabeth Levingstoun, on the other part, he grants to his son the said James Polwarth and the heirs male to be procreated between him and the said Elizabeth Levingstoun, whom failing to Andrew Polwarth brother-german to the said James Polwarth (junior) and the heirs male to be lawfully procreated of his body, whom failing to the heirs female to be procreated between the said James (junior) and Elizabeth, whom also failing the heirs and assignees whomsoever of the said James (junior),—the lands of Coustoun and the lands of South and North Hilderstonis with coals, coal heughs, tofts, crofts, etc., which lands of South and North Hilderstonis extend in the old infestments thereof to 13 lib. 14d. worth of lands, with 25s. worth of the lands of Bowcoittis including a piece of land and meadow called Carsbog (Kersbog) with the arable lands surrounded by walls and ditches, with the said walls, ditches and hedges, parsonage teinds, small teinds of hay, and liberty of digging and awaytaking “fail and duffat” for the repair of the said walls and ditches,—which lands of Kersbog lie between the lands of Bowcoittis and Brome parkis on the east, the lands of Coustone and Coustone water on the south, the lands of Wallhous on the west, and the lands of Bowcoittis, Scottinflat and Walhous on the north, in the barony and regality of Torphichen and sheriffdom of Linlithqw: Reserving to the said James Polwarth (senior) his liferent of the lands of South Hilderstone conquest by him from umquhile John Grahame with a piece of land of North Hilderstone added thereto, and half of the meadow of North Hilderstone then occupied by Thomas Aikene his tenant: To be holden *de me* for payment of 1d. Scots in blench farm if asked only, and paying also to James Sandelandis of Calder, lord of Torphichen, the granter's superior, the duties and others contained in the infestments thereof: Containing a precept of Sasine directed blank. At Coustoun, 22nd June 1602. Witnesses: Alexander Livingstone apparent of Haning, William Cleland of Knowhobillhill, Henry Thowmis, burgess of Linlithqw, Andrew Ker and Robert Ker, notaries. Signed by the granter and witnesses.

Seal gone.

22nd June 1602.

92. Procuratory of Resignation granted by James Polwarth, elder of Coustoun, for new infestment in favour of his son James and the heirs male procreat betwixt him and Elizabeth Levingstoun, of the lands in the preceding charter. At Coustoun, 22nd June 1602. Witnesses: Alexander Levingstone apparent of Haining, William Cleland of Knowhoblehill, Harie Thowms, burgess of Linlithqw, Andro Ker and Robert Ker, notaries, all with the granter subscribing.

Seal gone.

8th and 19th February 1604.

93. Extract of a Disposition by Henry Eldar, common clerk and burges of Perth (heritable proprietor by virtue of a comprising of the tenement after-mentioned for the byruns of an annualrent of 20 merks) with consent of Alexander Stewart, merchant burges of Edinburgh, in favour of Patrik Glasfurde, common clerk of Leith and the heirs of his body, whom failing to James Glasfurde his brother, his heirs and assignees, of a tenement of land somehile pertaining to umquhile Johnne Pennycuik and Margaret Robertsoun his spouse, lying within the town of Leith, barony of Restalrig and sheriffdom of Edinburgh, betwixt the lands of umquhile John Ker on the south, the lands of umquhil Thomas Mortoun on the north and the common "hie streittis" on the east and west parts. Dated at Edinburgh and Perth respectively 8th and 19th February 1604. Witnesses: Mr Oliver Colt, advocate, Mr Blaise Colt, his son, and James Leslie his (Oliver's) servitor, to the signature of Alex. Stewart at Edinburgh; and John Pitcarne burges of Perth, and John Jamesone burges of Cowpar, to the signature of Henry Eldar. Recorded in the books of Council and Session, 4th November 1618.

8th February and 10th March 1604.

94. Charter granted by Walter Stewart lawful son of umquhil John Stewart of Cragyhall, by which on the narrative that by contract (dated at Edinburgh 21st November 1588) made between him, with consent of Henry Stewart of Cragiehall, his patron in the tenement aftermentioned on the one part, and umquhil Mr Thomas Diksoun, vicar of Torphichen, burges of Edinburgh, on the other part, he had become bound to infest the said Mr Thomas in the tenement aftermentioned, as the said contract and charter following thereon more fully proport; that the said Mr Thomas had negligently omitted to take infestment on the said charter, and that no prejudice might thereby be done to Helen Dicksoun daughter and heir lawfully served to the said Mr Thomas: Therefore, with consent of John Young lawful son of Thomas Young, writer, chaplain of the chaplainry aftermentioned and superior of the said tenement, he grants and confirms to the said Helen Diksoun her heirs and assignees whomsoever, the tenement of land back and fore with houses, biggings and yard thereof sometime belonging to the chaplainry founded at the altar of St Nicholas within the collegiate kirk of St Giles of Edinburgh, by umquhil Alexander Currour vicar of the parish kirk of Dunsyre and John Lugtoun chaplain, lying within the burgh of Edinburgh, on the north side of the High Street thereof, between the lands of umquhil Symon Niddrie then belonging to William Boithuell on the east, the land of umquhil Lancelot Abirnathe then belonging to the heirs of umquhil John Sympsoun on the west, the high street on the south and the North Loch on the north parts: To be holden *a me* of the said John Young, chaplain foresaid and his successors, for payment yearly of 6 merks in name of feu farm: Containing a precept of sasine directed to Edward Edzar burges of Edinburgh, as baillie in that part. At Edinburgh, 8th February and 10th March 1604. Witnesses: Mr Alexander King of Drydane, advocate, John Diksoun his servitor, and William Hay, writer, indweller in Edinburgh; and

on 10th March, Mr Thomas Young lawful son of the said Thomas Young, writer, Thomas Couttis his servitor, and Gilbert Ros, provost of Mayboll, witnesses of the said John (Young) the chaplain. Signed by the granter and consenter, and by all the witnesses except Mr Alexander King and Mr Thomas Young.

The seals of the granter and consenter are gone.

10th March 1604.

95. Instrument of Sasine on the foregoing charter taken on 10th March 1604 in the hands of Thomas Couttis, clerk, of the diocese of St Andrews, notary public. Sasine given by Edward Edzar, burges of Edinburgh as bailie in that part, to John Diksoun, pensionary of Paislay as attorney of the said Helen Diksoun. Witnesses: James Nicolsoun, clothier, burges of Edinburgh; Francis Irwyng, bailie of the burgh of Dumfreis; James Meill, burges of Edinburgh; David Grhame, son of John Grhame of Callendar; Patrick Grhame of Thorniflattis, Andrew Diksoun, John Kirk of Dundaffmure, William Bellenden of Maddrisland, and Mr Patrick Hamiltoun, son of John Hamiltoun vicar of Dunlop.

Registered in the Secretary's Register at Edinburgh, 5th April 1604 by Adam Lawte, depute keeper.

24th March 1604.

96. Charter granted by the said Helen Diksoun daughter of umquhile Mr Thomas Dicksoun vicar of Torphechin and burges of Edinburgh, with consent of John Diksoun, pensionary of Paislay, and Andrew Diksoun his brother, at the Kirk-of-Muir of Dundaff, her curators, whereby in implement of a contract of sale between her and her curators, and sir Archibald Striveling of Keir, knight, their cautioner and trustee, on the one part, and Gabriel Rankene, merchant burges of Edinburgh, on the other part, she grants to the said Gabriel Rankene and his spouse Jonet Barclay and the longer liver of them,—the back land built and waste with the yard and tail and pertinents of the tenement specified in the preceding charter and sasine, which back land lies between the front land of the said tenement alienated by the said Mr Thomas Dicksoun to William Hereis, merchant burges of Edinburgh and his spouse Katherine Bankis on the south and the North Loch on the north: To be holden as in the charter (No. 94), for payment of 40s. yearly to the chaplain of the chaplainry, of whom the subjects are held: Containing a precept of Sasine directed to Robert Bannatyne, skinner burges of Edinburgh. At Striveling, 24th March 1604. Witnesses: Mr William Levingstoun of Estir Grenezardis, Mr William Narne son of umquhil Duncan Narne at Banokburn, William Young, servitor of John Adamsoun notary public, and Patrik Williamsoun there. Signed notarially on behalf of the granter and her curators by John Sinclair and the said John Adamson, notaries public, and by the witnesses. Written by John Nicoll servitor to David Andersone, writer, Edinburgh.

Granter's seal gone.

4th April 1604.

97. Precept of Sasine directed by Alexander Seatone, lord of Fyvie and Urquhart, president of the College of Justice, provost of Edinburgh, Richard Doby, Thomas Fischer, David Aikinheid and William Speir bailies of that burgh, and the councillors and community thereof, superiors of the town of Leith, to the said David Aikinheid, as one of said bailies, for infefting Henry Elder, clerk and burghess of Perth, his heirs and assignees whomsoever in the tenement of land fore and back, sometime belonging to unquhil John Pennycuik and Margaret Robertsons his spouse, lying in the town of Leith [*v. No. 93* preceding]: Which tenement formerly belonged to Walter Pennycuik son and heir of the said John, Robert Betoun, physician, Patrick Glasfurd, clerk of the said town of Leith, Agnes Thorntone his spouse, Daniel Leene, and Christina Nicolsone his spouse, and was apprised from them for the bygone proceeds (profits) of an annualrent of 20 merks Scots alienated by the said John Pennycuik and spouse to William Chalmer burghess of Perth, and then belonging to the said Henry Elder, extending in whole with fees and expenses to the sum of £397, 12s. At Edinr., 4th April 1604. Witnesses: William Mauld, dean of guild, James Forman, Adam Ra, James Aikinheid, burgesses of Edinburgh, and Mr Alex. Guthrie, principal clerk of that burgh. (Signed) Richard Doby, bailze; Thomas Fyscher, bayllze; William Speir, baillzie; D. Aikinheid, bailze.

A fragment of the common seal of Edinburgh remains.

26th January 1608.

98. Instrument of Resignation and Sasine following on the disposition of which No. 93 preceding is an extract, in the hands of Mr Alexander Guthrie, common clerk of Edinburgh, bearing that Patrick Glasfurd, common clerk of Leith, for implement of the marriage contract between him and Margaret Dawling with consent of her brothers Mr John Dawling advocate, and Robert Dawling (dated at Edinburgh 9th December last past) resigned in the hands of Archibald Adesone one of the bailies the foresaid tenement in the town of Leith: Which resignation being made and accepted the bailie gave sasine of the said tenement to the said Patrick Glasfurd and to John Mathesoun indweller in Leith as attorney, and in name of the said Margaret Dawling, and the longer liver of them in conjunct infeftment. Witnesses: Robert Dawling, writer, James Richartsons, John Blak, John Sprott and John Maccoull, sergeants of the burgh of Edinburgh, with others witnesses called and required.

Indorsed is a certificate of Registration on 14th February 1608, in the Secretary's Register of the sheriffdom of Edinburgh, by Adame Lawte, depute and keeper thereof.

14th May 1608.

99. Charter of Sale granted by James Poluarth senior, of Coustoun and James Poluarth junior his son and heir apparent, with consent of Elizabeth Levingstoun spouse of the said James Poluarth junior, in favor of sir Thomas Hamiltoun of Bynine, knight, King's advocate and one of the senators of the

College of Justice, his heirs and assignees,—of the lands of Coustoun, with manor place, houses, yards, orchards, outsetts, etc., piece of arable land with meadow called the Kersboig, and arablelands with walls, ditches, etc. surrounding the same and liberty of digging and awaytaking “feal and duffat” for the reparation thereof, and teinds in the parish of Bathgait, barony and regality of Torphichen and sheriffdom of Lynlithgow; and the lands called the Stibbillboigis on the east side of the Kersboig in the barony and regality foresaid: To be holden *de me* in blench farm for payment of 1d. yearly to the said James Polwarth senior if asked only, and to James lord of Torphichen the granter’s superior, for the said lands of Coustoun and Kersboig and others the feu and other duties specified in the infeftment of the said James Polwarth senior, and for the lands of Stibbillboigis 13s. 4d. yearly, being a proportion of the feu and other duties payable for the 25s. lands of Boithcoittis, sometime belonging to John Young, of which the said lands of Stibbillboigis are part: Containing a precept of Sasine directed to James Dryisdall, servant of Thomas Hamiltoun of Prestisfeild as bailie in that part. At Coustoun, 14th May 1608. Witnesses: William Clelland of Knowhobbilhill, John Hammiltoun, writer in Edinburgh, James Dryisdall, and David Tait, servants of the said Thomas Hamiltoun of Prestisfeild, Matthew Johnstoun servant of John Hamilton son of the said Thomas, and Robert Paterson servant of the said sir Thomas. Signed by the granters James Polwarth senior and junior, by James Hammiltoun and William Ker, notaries, for Elizabeth Levingstoun, and by the witnesses. Written by Robert Pringill, notary public, servitor to John Eistoun, writer to the signet.

Seals gone.

25th March 1609.

100. Charter of Confirmation granted by John Young lawful son of Thomas Young, writer to the signet, chaplain of the chaplainry founded at the altar of Saint Nicholas within the collegiate Kirk of St Giles of Edinburgh and superior of the tenement aftermentioned, with consent of his father as his administrator and tutor, confirming the Charter No. 96 preceding by Helen Diksoun (dated 24th March 1604). At Edinburgh, 25th March 1609. Witnesses: James Lamb, minister at Boltoun, and Thomas Couttis, servitor to the said Thomas Young. Signed by the granter and his father and the witnesses.

No seal.

26th May 1609.

101. Instrument of Resignation and Sasine taken on 26th May 1609 in the hands of Mr Alexander Guthrie, clerk of the community of Edinburgh and notary public, upon the resignation made by Peter Sommervell and Jonet Waldie his spous into the hands of David Johnstoun one of the bailies of the burgh of Edinburgh of (1) a back tenement of land formerly belonging to umquhile William Ray, cutler and burgess of Edinburgh and by him alienated to the said Peter Sommervell and spouse, lying on the south side of the High Street of Edinburgh in the vennel called Libbertounis Wynd, between another tenement of the said William’s on the north, the lands of umquhile John Scharp on the south, the lands of umquhil the laird of Corstorphin and now of Jonet Forrester on the east; and (2) another tenement of the said William

Ray's then belonging to Quintigern Ros, baker, on the south side of the High Street of said burgh between the said tenement now Jonet Forrester's on the east, the first-mentioned back land on the south and the High Street on the north; and also a waste land, with "chop" or "penteis" lying on the south side of the High Street and at the head of said vennel, between the said tenement of William Ray on the east, and the lands of the heirs of William Libbertoun then of the heirs of Patrick Gowane on the west, in warrandice of the said back tenement; and upon the sasine thereupon given by the bailie to John Wilsoun, merchant, as attorney and on behalf of Patrick Sommervell second son of the said Peter: Reserving the liferent of the said Peter Sommerville and his spouse. Witnesses: John Archibald, merchant; Patrick Nemo, tailor; Quintigern Ros, baker; John Baxter, Adam Barroun and Quintigern Bankis, serjeands of the said burgh.

21st May 1610.

102. Charter of Sale by sir Thomas Hammyltoun of Byris (subscribing "of Binning"), knight, King's advocate and one of the senators of the College of Justice, in implement of a contract of the same date between him on the one part, and John Eistoun, writer to the signet, and Margaret Cant his spouse on the other part,—whereby he sells and disposes to the said John Eistoun and Margaret Cant and the longer liver of them, the lands of Coustoun, Kersboig, and Stibbilboigis (see No. 99 *supra*): To be holden *a me* of James lord of Torphichen in feu farm: Rendering therefor the feu farms following, viz., for the lands of Coustoun the sum of 18 merks; for the Kersboig 21s. 4d.; and for Stibbilboigis 13s. 4d., besides other duties and services: Containing a precept of sasine directed to David Hamiltoun his servitor as sheriff in that part. At Edinburgh, 21st May 1610. Witnesses: Mr Robert Foullis, advocate; James Wynram, writer; Mr Allan Hamiltoun, David and Thomas McCullochis the granters servants, and Robert Pringill notary in Edinburgh. Signed by the granters and witnesses.

Seal gone.

21st May 1610.

103. Charter of Sale in the same terms as the preceding but with a *de me* holding in blench farm. Same date and witnesses.

Seal (nearly entire) of Sir Thomas Hamilton of Byris, knight, King's advocate: On a chevron, between three cinquefoils, a buckle. Flowers at top and sides of shield. Legend (caps.): S D THOME HAMIL . . . EN. Diam. $1\frac{5}{16}$ in.

25th May 1610.

104. Instrument of Sasine taken on 25th May 1610 in the hands of John Ker, clerk, of the diocese of St Andrews, notary public, in favour of John Eistoun, writer to the signet, and Margaret Cant his spouse and the longer liver of them, of the lands of Cowstoun, Kersboig and others described in the two preceding charters. Sasine given by David Hammyltoun servant of sir Thomas as bailie in that part to the said John Eistoun, and to Mr John Cant of Sanctgelis Grange as procurator for the said Margaret Cant. Witnesses to the Sasine: Robert Smyth, merchant burgess of Edinburgh; James Nethsmyth,

his servant; Mr John Ker, son of Andrew Ker of Mylnerig; Alexander Aikinheid in Hilderstoun, John Steinesoun there, and Michael Forsyth in Cowstoun.

23rd June 1610.

105. Instrument of Resignation and Sasine taken on 23rd June 1610 in the hands of Mr Alexander Guthrie, clerk of the burgh of Edinburgh, and notary public, in favour of William Sommerville, merchant, of a new built land of Joseph Marjoribankis, merchant burgess of said burgh, sometime of umquhile Thomas Wardlaw, lying within the tenement of umquhile Thomas Otterburne on the west side of the passage thereof, between the lands of umquhile William Adamsone on the north and the land of umquhile John Falcoun on the south, and which tenement lies on the south side of the said burgh and of the old tolbooth thereof between another tenement of the said Thomas Otterburne on the east, and the tenement of umquhile John Foulter on the west: On resignation made by James Broun, merchant with consent of his wife Elizabeth Nasmith, in implement of a Contract of Sale (dated at Edinburgh 4th June then instant) made between them and the said William Sommerville. Sasine given by James Dalzeall, one of the bailies of Edinburgh. Witnesses: Alexander Broun, Robert Smith, merchants, John Bartane, goldsmith, George Rose and Simon Thorntoun sergeants of the burgh.

29th January 1612.

106. Precept of Clare Constat directed by James, lord of Torpchechin to Hector Paterson in Torphichen, for infesting Thomas Eistoun as heir of his father Alexander Eistoun, portioner of Wodesyde, in the 2 merk lands of Wodesyde, with the pertinents lying in the barony and regality of Torpchechin within the sheriffdom of Lynlithgow and sometime occupied by umquhile Thomas Eistoun father of the said Alexander. Dated at Edinburgh, 29th January 1612. Witnesses: James Dowglas and Symon Purdie, the granter's servants; John Eistoun, writer to the signet; and Robert Pringill, notary and writer of the precept. (Signed) J. Torpchechin.

Seal gone.

20th November 1613.

107. Charter of Sale by Thomas Eistoun, portioner of the lands of Wodesyde in implement of a contract between Peter Eistoun in Torphichen, his cautioner, and John Duncane of Bruntoun,—granting to the said John Duncane, his heirs and assignees, an annualrent of 40 lib. furth of the lands of Wodesyde extending to 2 merks worth of land, with houses, yards and pertinents, lying in the regality of Torphichen and sheriffdom of Linlithgow: To be holden *de me* for payment of 1d. in blench farm if asked only: Containing a precept of sasine directed blank. At Linlithgow, 20th November 1613. Witnesses: John Craufurde in Torphichen, Peter Book there, Andrew Gibbesoun merchant burgess of Linlithgow, and Thomas Thowmis servitor to James Ros notary in Linlithgow. Subscribed notarially on behalf of the granter by the said James Ros and by George Thowmis co-notary, and by all the witnesses except Peter Book.

Seal gone.

24th November 1613.

108. Feu Charter granted by John [Spottiswood] archbishop of Glasgow, with consent of the dean and chapter of his metropolitan kirk, narrating that the 20 merk lands of Bischopforrest in the parish of Kirkpatrick Inrgray and stewartry of Kirkcudbright belonged to himself and his predecessors, archbishops foresaid, as part of the patrimony of their archbishoprick, and that John lord Heryis sometime heritable proprietor thereof resigned the same with the privilege of regality into the hands of the archbishop as superior *ad remanentiam*; and disposing in favour of William Moring, portioner of Barboy, his heirs and assignees whomsoever, the half of the merk land of old extent of Barboy, with the houses, biggings, yards, tofts, crofts, outsets etc. thereof, lying in Bischopforrest within the parish of Kirkpatrick Inrgray [Irongray] and stewartry of Kirkcudbright: To be holden *de nobis* in feu farm: Rendering therefor yearly the sum of 17 shillings Scots as the former duty and 4d. in augmentation thereof, the service of one shearer in autumn and the use of a horse for half a day *ad glebas*,—giving suit and presence when required at the courts of the regality held yearly within the bounds thereof, the archbishop and his successors being bound on their part to hold the said courts by sufficient bailies of their own household, and failing that to appoint one or more of the fittest of their feuars of Bischopforrest. The charter contains a precept of sasine directed blank. At Edinburgh, 24th November 1613. Witnesses: Mr James Broun, minister at the kirk of Kirpatrick Inrgray; William Hanyng, clerk of the commissariat of Drumfreis; Andrew Hay and Robert Blunt the archbishop's servitors; and John Nicoll, clerk to the signet, by whose servitor Quintin Kennedy the charter is written. (Signed) Jo. Glasgven; M. James Hamilton, dean of Glasgow; M. James Steuart, chancellor; T. Moir, persoun of Morbattill; T. Hay, Peblas; M. Rt. Hunter, persoun of Sanquhar; M. James Logane, persone of Ettilstoun; M. George Cleland, person of Durisdeir; J. Bannatyne, Carnwathie; Mr J. Campbell, Luss; Mr J. Cuninghame, Cumnok; Mr R. Wilkie, Douglas; W. Wheatfurd, Moffet; W. Birsbane, Erskine; Mr Jhone Tenent, Balarnok; J. Hay, Ranfrow; Mr Patrik Walkinschaw, subdene; Mr James Gillespie, Killern.

Two seals; one gone. The archbishop's remains: A shield, with scroll ornament at top and sides, bearing arms:—On a chevron between three oak-trees eradicated, a boar head coupéd, and on a base a salmon with ring in its mouth. Legend (caps.): S: IOANNIS. ARCHIEPISCOPI. GLASGVENSIS. Outer border of leaves. Diam. 1 $\frac{1}{8}$ in.

2nd March 1614.

109. Commission under the testimony of the Great Seal appointing John Gordoun of Tilliegreig and Caskyben, Mr Richard Irwing of Hiltoun and Mr Alexander Jaffray, burgess of Abirdene, sheriffs in that part, to act on the retour of a brieve for the service of George Johnstoun of that ilk as heir of his grandfather George Johnstoun of that ilk, in an annual of 4 merkis furth of the town and lands of Hiltoun of Lumgare, with the pertinents, lying in the barony of Dunnotare and sheriffdom of Kincardin, held of George earl Marischall lord Keyth, &c., who is also sheriff-principal of the said sheriffdom, and thus

both judge and party contradictor in the said service : The said commission being granted in the petition of the said first-mentioned George Johnstoun and his curators William Forbes of Tulquhone, Mr Duncan Forbes of Bannagask, Gilbert Johnstoun of Taveltie, Robert Johnstoun of Kendall, Gilbert Johnstoun of Pettersmylne, and Mr Robert Paip, advocate at New Abirdene. Edinburgh, 2nd March 1614, A.R. 47 and 11.

Seal gone.

3rd May 1615.

110. Instrument of Sasine following on the charter No. 107 preceding taken on 3rd May 1615 in the hands of William Leverance, clerk, of the diocese of St Andrews, notary public, in favour of John Duncane in Burnetoun, of an annualrent of 40 lib. furth of the 2 merk lands of Wodsyd : Sasine given by James Jope, portioner in Burnetoun. Witnesses : John Jope son of the said James Jope, John Ralstoun in Torphiching, John Bryce in Wodsyd, and Alexander Bryce brother of Margaret Bryce in Torphiching Mains.

6th July 1615.

111. Instrument of Resignation taken on 6th July 1615 in the hands of Thomas Forbes, clerk, of the diocese of Abirdene, notary, upon the resignation made by Archibald Dowglas, macer, as procurator for James Seytoun of Pitmedden, in the hands of the lords of his majesty's secret council, of the towns and lands of Selbie and Lochtullocke with pertinents, tenants, tenandries and services of free tenants, lying in the parish of Monkegy and sheriffdom of Abirdene, in favour and for new infeftment to be given under the great seal to George Johnnestoun now of Caskyben, his heirs male and assignees whatsoever. Done in the "laigh counsalhous under the tolbuith of Edinburgh." Witnesses : Johnne Seytoun of Meldrum, John Erskene of Pittodrie, Robert Alschunder, Thomas Crombie, writers ; Adame Gordoun of Glenbuchet and James Prymrois, clerk of his majesty's secret council with others divers.

13th November 1615.

112. Charter of Sale by Thomas Eistoun, son and heir of umquhile Alexander Eistoun, portioner of Wodsyde, whereby (in implement of an obligation by him dated 11th November) he disposes to John Eistoun of Coustoun, writer to the signet, in liferent, and to his son John Eistoun junior, and Euphame Ker his spouse, and the longer liver of them—the 2 merks worth of the lands of Wodsyde with houses and pertinents, lying in the barony and regality of Torphichen and sheriffdom of Linlithqw : To be holden *a me* of James lord of Torphichen superior thereof for payment yearly of the feu farm, victual, etc. as specified in the charter of 20th August 1576 (No. 67 preceding) : Containing a precept of sasine directed to James Glen portioner of Wodsyde, as bailie in that part. At Edinburgh, 13th November 1615. Witnesses : Robert Crichtoun younger of Clunie ; William Wallace and Thomas Patersone, tailor burgesses of Edinburgh ; Patrick Glen servitor to the said John Eistoun, writer to the signet ; and Andrew Polwarth, son of umquhile James Polwarth

of Coustoun. Signed notarially for the granter by Mr William Strang, notary public, and Adam Nisbit, co-notary, and by all the witnesses except Robert Crichtoun.

Seal gone.

8th November 1616.

113. Precept of Clare Constat directed by James, lord of Torphichen to James Glen in Torphichen, portioner of Wodsyd, for infefting John Eistoun as heir of his father John Eistoun of Coustoun, writer to the signet, in the 50s. land of Scottinflat with houses, etc., and pertinents conquest by the said John Eistoun and Margaret Cant his spouse from umquhile Thomas Eistoun and Jean Home his spouse, lying in the barony and regality of Torphichen and sheriffdom of Lynlithgow; also in the lands of Coustoun, Kersboig, and Stibillboigs (as previously described), which lands of Coustoun and others sometime belonged to umquhile James Polwarth of Coustoun and afterwards to Thomas lord Bynning, secretary of the King, then sir Thomas Hamiltoun of Byris, knight, King's advocate, and were conquest from him by the said John Eistoun and spouse. At Edinburgh, 8th November 1616. Witnesses: sir William Lausone of Boghall, knight, Mr John Cant of Sanct Geli Grange, John Sandelandis servant to the granter, George Lokhart servant of the said sir William Lausone, and Robert Pringill, writer to the signet. Signed "Torphichin," and by the witnesses.

Seal gone.

9th November 1616.

114. Instrument of Sasine following on the above precept taken on 9th November 1616 in the hands of Patrik Glen, notary public, of the diocese of St Andrews, in favour of John Eistoun as son and heir of umquhile John Eistoun of Cowstoun. Witnesses: James Young in Torphichin, Patrik and James Johnstounes there, and James Glen son of the said bailie.

11th November 1616.

115. Charter of Resignation by James, lord of Torphichen in favour of John Eistoun then of Coustoun (son and heir of umquhil John Eistoun of Coustoun, writer to the signet), and Euphamia Ker his spouse and the longer liver of them in liferent, and to John Eistoun their eldest son and the heirs of his body, whom failing James Eistoun their second son and the heirs of his body, whom failing the heirs whomsoever procreated between the said John and Eufemia, whom failing the heirs and assignees whomsoever of the said John (then of Coustoun), of the 50s. lands of Scottinflat; the lands of Coustoun, in the parish of Bathgait, and the lands of Kersboig and Stibbilboiggis and others (all as before described): On the resignation of the said John Eistoun, writer to the signet: Reserving to Margaret Cant relict of the said John Eistoun, writer, her liferent of the teinds of the whole of said lands (except Scottinflat which she renounced): Containing a precept of sasine directed to James Glen portioner of Wodsyde. At Edinburgh, 20th November 1616. Witnesses: Mr John Sandelandis, son of the lord of Torphichen, Mr John Cant of Sanct

Geli Grange, Robert Pringill, writer to the signet, and Patrick Glen his servitor. Signed by the granter and witnesses.

Seal gone.

21st December 1616.

116. Tak granted by Johnne [Spottiswood] archbishop of St Andrews, commendator of the abbacy of Kilwyning, "undoubtit persoun" of the parish and parish kirk of Stewartoun, with consent of Mr Williame Castellaw present minister at the said kirk, in favour of David Cunninghame of Robertland heritor of the lands aftermentioned for the lifetimes of himself and two successive heirs male, and thereafter for five successive periods of 19 years,—of the parsonage teinds of the following lands, viz. : the 4 lib. 6s. 8d. land of Robertland and Breadieland, the 40s. land of Over Lochrig which is the Maynis of Robertland, 6 merk land of Foulshaw, 20s. land of Spittell, 6 merk land of Over and Nether Cassiltounis, 14s. land of Horsmure and Lochemyne, and 5 merk land of Nether Blaklaw, in the parish of Stewartoun, bailliary of Cunninghame and sheriffdom of Air, pertaining to the said abbacy as part of the patrimony thereof : Entry at the Lammas preceding : Paying therefor to the minister serving the cure of the said kirk the sum of 47 lib. yearly at Martinmas, 6 bolls 1 firiot "ait meill," betwixt Yule and Candlemas, and doubling the amount in the event of failure to pay at the above terms,—relieving the granter of all taxations upon the teinds, the reparation of the kirk, and the furnishing of elements of bread and wine at the communion. At Edinburgh, 21st December 1616. Witnesses : Johnne Spottiswode the archbishop's son, Mr John Hay clerk depute of Edinburgh, and James Lennox servitor to Mr Alexander Guthrie, common clerk of Edinburgh and writer of the tak. Subscribed by the archbishop, the minister of Stewartoun and the witnesses. [In the vernacular.]

Seal gone.

23rd April 1617.

117. Instrument of Sasine proceeding on the charter of resignation No. 115 preceding, taken on 23rd April 1617 in the hands of Patrick Glen, notary public, in favour of John Eistoun of Coustoun, and Euphemia Ker his spouse and the longer liver of them in liferent, and their son John Eistoun junior in fee. Sasine given to the said John Eistoun of Coustoun and Euphemia Ker his spouse, personally, and to Robert Stewart as attorney for the said John Eistoun junior. Witnesses : Patrick Hendersoun in Coustoun, John Small there, Patrick Davidsone and Thomas Watsoun in Brumpark and William Wylie in Linlithgow.

27th December 1617.

118. Charter of Sale by Andrew Mathowsoun indweller in the burgh of Abirden, in favour of John Mitchell, maltman burgess of the said burgh,—of a tenement land fore and back and the yard thereof lying in the burgh of Abirden on the east side of the Gallowgate, between the land of umquhile Andrew Murray then of Andrew Inglis, wright, on the south, the land of umquhile Thomas Craufurd then of William Russell, weaver, on the north, and the barnyard of Mr Richard Irving on the east : To be holden in free

burgage. Dated at Abirden, 27th December 1617. Witnesses: Mr Alexandro Cullen one of the bailies of the burgh, Archibald Beanne (subscribing "Beanes"), John Michell junior, and John Ingrahame, burgesses, and Patrik Smyth, writer of the charter and servitor to Mr Thomas Mollesone, common clerk of the burgh. Subscribed notarially on behalf of the granter by Mr Thomas Mollesone and Walter Robertstone, and by the bailie as giver of Sasine.

No seals.

27th December 1617.

119. Instrument of Resignation and Sasine proceeding on the foregoing charter taken on 27th December 1617 in the hands of Mr Thomas Mollesoun, clerk, of the diocese of Abirden, notary public and common clerk of Abirden. Witnesses: Thomas Dowglas, Thomas Aikyn, John Ingrahame, Patrik Smyth, burgesses of the said burgh; Walter Robertstone, notary public, and William Kay, one of the sergeands of said burgh.

22nd October 1619.

120. Instrument of Sasine taken on 22nd October 1619 in the hands of Alexander Duff, clerk, of the diocese of Moray, notary public, proceeding on an inquest held in the tolbooth of the burgh of Invernish in the burgh court thereof before Mr John Ross provost of said burgh, William Campbell, Alexander Patersone, William Paterson senior and William Robertson junior, bailies thereof by the following assise, burgesses of said burgh; Duncan Forbes, chancellor of the inquest; William Robertsonsoun senior, James Cuthbert senior, Andrew Fraser M'Conil, George M'Conilreoch, John Robertsonsoun, Thomas Robertsonsoun, John Chapman, Robert Moncreiff, William Cuthbert Jonsoun, Francis Bischope, David Cuthbert, Murdoch Poilsoun, Robert Neilsoun, and William M'Conchie, who, being sworn, found that the late Alexander M'Thomas Roy, indweller in Invernish, grandfather on the father's side of Thomas Fraser, burges of that burgh, died vest and seised in a rood of burgage land with houses, yard and malt kiln lying in Inverness on the west side of the water of Nes, between the lands of John Robertsonsoun, wright, on the south, the lands of Alexander M'Gillemartin and the lands of the late Alexander M'Thomas Roy on the north, the lands of sir James Duff on the west, and the common vennel on the east, and also in a particate of burgage land with houses, etc. lying in said burgh on the west part of the water of Nis between the lands of Finlay M'Conel Du on the south, the common vennel on the north, the lands of John Cuthbert on the west, and the barn pertaining to Alexander M'Thomas Roy on the east: That the said Thomas Fraser was the lawful grandchild and heir of the said Alexander M'Thomas Roy, in the said subjects which are held of the king in burgage for payment of burgh mail aucht and wont and for payment of 3s. furth of said rood of land to the chaplain of the Holy Cross, and now to the provost and bailies, counsellors and community of said burgh: Whereupon the said William Campbell as one of the bailies of said burgh proceeded to the ground of said lands and gave sasine thereof to the said Thomas Fraser. Witnesses: James Cuthbert of Eistir Drackie, William Gray in Invernish, Nicol Patersone

there, James Duff notary there, Henry Duff there, John Du M'Allister, James Cumming, Donald Clerk, Alexander Griersone, and William Reid, burgh officers.

14th March 1622.

121. Instrument of Sasine taken on 14th March 1622 in the hands of Thomas Edgar, clerk, of the diocese of St Andrews, notary public, in favour of Gabriell Ranking as heir of his father umquhil Gabriell Ranking, merchant burgess of Edinburgh, procreated between him and Jonet Barclay his spouse, of a back land built and waste, with yard and tail thereof, of the tenement of land of Walter Stewart, son of umquhil sir John Stewart of Craighall, knight, lying between the front land of said tenement sold by Mr Thomas Diksone to umquhile William Hereis, merchant and burgess of Edinburgh, and Katherine Bankis his spouse, on the south, and the north loch of said burgh on the north [see the Charter No. 96 preceding]: Proceeding on a Precept from Chancery (dated at Edinburg 27th February 1622) directed to the chaplain of said chaplainry as superior of said tenement. Sasine given by Mr John Young of Reidhewis, chaplain and superior of the said tenement. Witnesses: Peter Somervell, John Wilsone, and James Loch, merchant burgesses of Edinburgh, and Mathew Cumyng, writer to the signet.

With certificate of the registration thereof in the Register of Sasines for Edinburgh, etc., 29th March 1622. Signed by Mr Francis Hay, depute to sir George Hay of Kinfawnis, knight, clerk of the register and rolls.

21st March 1623.

122. Charter of Confirmation by sir George Touris of Garnailtoun, knight, and baron of the barony of Innerleith,—confirming a charter of sale dated at Edinburgh 11th March 1623, granted by Henry Young, baker burgess of Edinburgh in implement of a contract dated 13th February preceding, entered into between him on the one part and Gressill Gray, relict of Robert Scot burgess of Edinburgh, and Marion Wilson, daughter lawfully begotten between her and umquhil John Wilsone, shoemaker burgess of said burgh, with consent of John Wilsone, maltster without the West Bow, spouse of the said Margaret (Marion?), on the other part, by which the said Henry sold and disposed to the said Grissell in liferent and to the said Marion Wilsone her heirs and assignees whomsoever, an annualrent of 100 merks Scots furth of a piece of land of the east croft of Bristo, with houses, yard and well thereof, containing three particates of land in width of front towards the west, four particates in length of tail towards the east, lying between a piece of land of umquhil David Allane *alias* Barbour on the south, a piece of land of umquhile Patrick Fraser, afterwards of James Thomsone and then of Robert Howiesone on the north, the common way leading by the west side of the kirk of S. Mary of Field on the west and the said East Croft on the east lying in the lordship of Dalry, barony of Inverleith and sheriffdom of Edinburgh: To be holden of the said sir George Touris in blench farm: Containing a precept of sasine directed to Charles Hog. [Witnesses to the charter by Henry Young: Thomas Couttis, clerk to the signet, Mr Alexander

Pacok and John M'Ilwreth his servitors.] At Edinburgh, 21st March 1623. Witnesses: James M'Cairtnay, procurator in Edinburgh; William Sydserff, servitor to sir George Touris and the said John M'Ilwreth. Signed by the granter "Dominus G. Touris de Garmiltoune" and the witnesses.

Part of the granter's seal remains. Couché. On a bend three stars. Crest, on a helmet with mantling, two towers issuing from a coronet. Legend (caps.): S DOMINVS G TOVRIS DE GARILTVN. Diam. $1\frac{7}{16}$ in.

14th July 1624.

123. Precept of Clare Constat directed by Alexander Clark of Stentoun provost of the burgh of Edinburgh, Quintigern Makcall, David Mitchelsone, Peter Somervell, and William Rig, bailies of the said burgh, and the councillors and community thereof, superiors of the town of Leith, to the said Quintigern as bailie foresaid, for infetling Thomas Stevinsone as heir of his father umquhil William Stevinsone, maltster, indweller of said town, in that land sometime waste then built on, fore and back, lying in the town of Leith on the south side of the water thereof in the barony of Restalrig and sheriffdom of Edinburgh, between the land of umquhil Symon Logane on the north, the land of umquhil Henry Rynd and then of Lucia Cockburne on the south, the land belonging to umquhil Robert Landellis and then to the heirs of umquhil Andrew Malcome on the east and the common high street called the Hill on the west: Which land is held of the granters in chief for the yearly payment of 2s., with one day's darg in autumn and suits of courts of the said town only. At Edinburgh, 14th July 1624. Witnesses: George Suittie the granters' treasurer, Alexander M'Caitnay writer, and Mr John Hay, the clerk. (Signed) A. Clark, prouest; Mungo Makcall, baillie; Petter Somervell, baillie. Indorsed with a Memorandum by a notary that sasine was given to Thomas Stevinson personally present by the bailie Mungo M'Call on 24th July 1624. Witnesses: James Stewart, John Pren, Andro Irving and James Hill.

Seal of Edinburgh for Leith, a fragment defaced. Same as No. 76 *ante*.

20th November 1627.

124. Charter by sir George Touris of Garmiltoun, knight, baron of the barony of Innerleith, in favour of Alexander Moresone of Prestongrange, his heirs and assignees whomsoever,—of a piece of land of the east croft of Bristo described in the charter No. 122 preceding: Which piece of land formerly belonged to Henry Young, baker burgess of Edinburgh, and was appraised from him by the said Alexander Moresone in payment and satisfaction of an annualrent of 80 merks payable furth of the same for the years specified in the process of apprising and amounting in whole to 218 merks: To be holden of the said sir George as superior, for payment of 10s. yearly of feu ferm, with services: Containing a precept of sasine directed to Edward Cunnyngghame in Hierigis and Charles Hog in Bristo, as his bailies in that part: Under redemption on payment of the said sum, etc. At Edinburgh, 20th November 1627. Witnesses: Robert Kincaid and John Towris servitors

to the said sir George, John Donaldsone, tailor, and M^r John Adamsone (writer of the charter) servitor to M^r Francis Hay, writer to the signet.

Subscribed by the granter and witnesses. Part of the granter's seal remains. Same as No. 122 *ante*.

10th April 1628.

125. Instrument of Resignation and Sasine taken on 10th April 1628 in the hands of M^r John Hay, common clerk of Edinburgh and notary public, on the resignation by Peter Somervell, merchant burgess of Edinburgh, in the hands of George Suttie, one of the bailies of Edinburgh, of a laigh building sometime of James Cant son of umquhile Thomas Cant of Sanct Jeillie Grainge lying on the south side of the High Street of Edinburgh at the end of the close called "Cant's clois" between the lands of umquhile John Hendersoun called laird Soutter on the east, the Kowgait on the south, the lands of James Wardlaw on the west, and the building or land belonging to umquhile the said Thomas Cant and sometime occupied by umquhile John Forsyth, writer, on the north, with the close, houses, biggings, stables, cellars, attics, kiln, barn, steipstane, well, yard and pertinents,—and on the sasine thereupon given by the said bailie to William Somervell eldest son of the said Peter: Reserving the liferent of the said Peter. Witnesses: Alexander Makcainay, Alexander Wood, William Bachop, Thomas Cochran and David Bishop, serjeands of the said burgh.

13th October 1628.

126. Charter of Confirmation by John Young of Ridhewis chaplain of the chaplainry founded at the altar of St Nicholas in the collegiate kirk of St Giles of Edinburgh,—confirming a charter (dated at Edinburgh 10th October 1628) granted by Gabriell Ranking merchant burgess of Edinburgh to Peter Ranking son procreated between the said Gabriell and his spous Margaret Somervell, his heirs and assignees,—of the back land with yard and tail described in the charters Nos. 96 and 121 preceding: Reserving the liferent of the said Gabriel and his spouse. [Witnesses to the charter confirmed: Mathew Cumyng, writer to the signet, John Deanis burgess of Edinburgh, and William King, notary public.] Witnesses to the charter of confirmation, at Edinburgh, 13th October 1628: John Wilsone and Alexander Somervell, merchant burgesses of Edinburgh, and the said Mathew Cumyng. Signed by the granter and witnesses.

No seal has been attached.

8th February 1630.

127. Charter of Confirmation by Patrick [Lindsay] bishop of Ross, with consent of the dean and canons of his Cathedral Kirk, confirming a charter of sale (dated at Tayne 23rd May 1623) granted by John Monro of Obsdail in favour of umquhil John Gordaine elder of Inbo [Embo], in liferent, and John Gordoune, younger, his eldest lawful son, his heirs male and assignees whomsoever in fee, of the Kirklands of Kenlochglasche, lands of Belnacoull, Achragall and Bothmoir with the mill thereof, multures, fishings, etc. lying in the bishoprick of Ross, mairdome of Ferrindonill and sheriffdom of Inverness: To

be holden *a me*: Rendering yearly to the bishop and his successors as superiors for the lands of Keandlochglasche 41s., for Balnacoull the like sum of 41s., and for Auchnagoill the sum of £5, 9s., a half mert, two sheep, 6 capons, 6 poultry, 1 boll of oats "*lie suggeron eattis*," 2 goats and 40 eggs with whatever other duties were in wont to be paid conform to the old rentals of the same, and for the said lands of Bothmoir and mill thereof the sum of £5, 9s., a half mart, 2 sheep, 6 capons, 6 poultry, 1 boll "*lie suggeron eattis*," 2 goats and 40 eggs with whatever other duties were in use to be paid according to the old rentals,—giving also their aid and labour in the repair and upkeep of the gair of Kilterne according to the rate and quantity of the plough and davach lands thereof conformably to the barony of Ferrindonill, comparing at the court of the bishops at the Canonry of Ross and Ferrindonill when required, and giving 3 suits yearly at 3 capital courts to be held at the said Chanonry of Ross: Containing a precept of sasine directed to Alexander Monro in Absdail. [Witnesses to the charter confirmed: George Gray, apparent of Sorrdell; John Monro of Daan; Walter Strathachin, dyer, burgess of Tayne; John Forrester, burgess there; and David Forrester, notary public, writer thereof.] Dated at the bishop's castle at the Canonry of Ross. Witnesses: Mr Francis Ainslie, minister at the said Canonry; Andrew Moresoun, burgess of said Canonry; William Lauder, clerk of the commissariat of Ross; and Thomas Williamsoun his servitor, writer thereof. (Signed) Pa: Epis: Rossen; M. Andreas Crombie, decanus Rossen.; Mr Thomas Young, rector de Kirk[michael]; G. Monro, cancellarius Rossen.; M. Joannes M'Kenzie, archidiaconus Rossensis; M. Thomas Pape, rector de Cullicuddin; M. Robertus Ross, rector de Alnes; M. David Monro, rector de Kiltarne; M. R. Monro, rector de Roskene; M. Gilbert Morray, subdeane of Ross; A. Mackenzie, persone of Contain; Mr Murdochus Mackenzie, rector Dignawalensis; Mr Joannes Malcolmus, Wranesis [Urray] ecclesie rector; M. A. Dundas, rector de Logie Eister; M. Alexr. Hossak, rector de Kilmuir; [M. J.] Ros, rector de Kincardin.

Two seals:

- (1) Chapter seal: Full-length figures of two saints standing side by side: on the dexter St Peter with nimbus, holding in his right hand the keys resting on his shoulder, and in his left hand a book; on the sinister, St Boniface in episcopal vestments with mitre, his right hand raised in benediction, his left hand holding a crozier. Legend (Goth. caps.): S. CAPITVLI SCOꝝ PETRI ET BONEFACII DE ROSMARKIN. (Sigillum capituli sanctorum Petri et Bonefacii de Rosmarkin.) Inner border beaded. Diam. $1\frac{1}{8}$ in.
- (2) Patrick Lindsay, bishop: An ornamental shield bearing arms: quarterly, 1 and 4, a fess chequy; 2 and 3, a lion rampant surmounting a ribbon. The initials P.^ER. at top and sides of shield [and beneath on an escroll the motto: DVM SPIRO SPERO]. Above the shield the three-quarter length figure of a bishop with mitre, a crozier held obliquely in his right hand and a book in his left. One star on dexter and another on sinister side of head. [On an escroll above the head the motto: NEC PRECE NEC PRETIO.] At the sides, foliage for mantling. Supporters: two lions rampant. Legend (caps.): ROSSEN. Beaded borders. Oval: $3 \times 2\frac{1}{16}$ in.

2nd March 1633.

128. Charter granted by John Eistoun of Coustoun with consent of Mr John Cant of Laurestoun, Mr James Inglis, Robert Pringill and Mr George Lawsons, writers to the signet, his curators, and of Eufame Ker his mother and Henry Levingstoun of Gardoch her spouse, whereby (in part implement of a marriage contract of the same date, between Michael Elphinstoun of Quarrell, and his eldest daughter Jean Elphinstoun on the one part, and the said John Eistoun with consent foresaid on the other part), he gives and grants to the said Jean Elphinstoun his future spouse in liferent, his lands of Coustoun, in the parish of Baithgait, piece of arable land with meadow included called the Kersboig, and lands called Stibbilboigs and others as before described, in the barony and regality of Torphechin and sheriffdom of Linlithgow: To be holden *a me* de Johanne domino de Torphechin: Containing a precept of sasine directed to William Elphinstoun, servitor to Alexander lord Elphinstoun. At Edinburgh, 2nd March 1633. Witnesses: Alexander Lintoun of Pendreich, James Eistoun the granter's brother, Mr John Pringill son to the said Robert, M. Robert Scott, James Pringill and Mr James Chein, servitors to the said Robert Pringill. Subscribed by the granter, consenters and witnesses.

Granter's seal gone.

2nd March 1633.

129. Charter in the same terms as the preceding, but with a *de me* holding. Seal gone.

29th May 1633.

130. Instrument of Sasine following on the charter preceding taken on 29th May 1633 in the hands of Andrew Cowye, clerk of the diocese of St Andrews, notary public, in favour of the said Jean Elphinstoun in liferent. Sasine given by William Elphinstoun, servant to Alexander lord Elphinstoun, to John Laying in Elphinstoun as attorney and in name of the said Jean Elphinstoun.

Certificate of registration in the particular Register of Sasines at Edinburgh on 27th July 1633 of the above sasine, produced by John Twedie, writer in Edinburgh, and registered by Mr Francis Hay, depute to the Clerk Register.

19th April 1634.

131. Letter under the Great Seal, in consideration of the injury and abuses occasioned in Scotland by the irregular sale and immoderate use of tobacco, at first used only as medicine and now promiscuously sold everywhere, and so largely consumed (and frequently of such unsound quality) as to endanger the health of the King's subjects and deprave their morals,—for the future prevention of which evils the King grants to sir James Leslie, knight, and Thomas Dalmahoy, servitor of James, marquis of Hammiltoun, their heirs, executors and assignees, for 7 years after the date thereof, the sole power of compounding, after examination, with competent persons, for licence to sell tobacco in small quantities, on such conditions, and for payment of such compositions and for an annualrent for the King's use, as the said commissioners

and the receivers of licences may agree upon : Which compositions the King with consent of William earl of Mortoun, high treasurer, comptroller and collector of the new augmentations, John earl of Traquair, deputy in the said offices, and the lords of Exchequer, grants to the said sir James Leslie and Thomas Dalmahoy and their foresaids, they paying therefor 100 lib. sterling in name of composition and 100 lib. yearly to Exchequer : Further the King wills that every one receiving their license shall become bound as well for the sale of only wholesome and sound tobacco, as for the observation of good order in their houses and shops. At Quhytehall, 19th April 1634 : A. R. Charles I., 10.

Part of the second great seal of Charles I. remains. See Laing, Vol. I. No. 75.

12th July 1634.

132. Instrument of Resignation and Sasine taken on 12th July 1634 in the hands of Mr Alexander Guthrie, clerk of the community of the burgh of Edinburgh, notary public, upon the resignation made by Alexander Makcainnay servant to the said notary, as procurator for William Somervell, merchant burghess of Edinburgh, into the hands of William Reid one of the bailies of the burgh of Edinburgh, of a tenement of land built by Joseph Marjoriebanks, merchant burghess of Edinburgh and formerly belonging to umquhile Thomas Wardlaw, and lying within the tenement of umquhile Thomas Ottirburne on the west side of the close thereof, between the lands of umquhile William Adamesoun on the north and the land of umquhile John Falcoun on the south,—and which tenement of Thomas Ottirburne lies in the burgh of Edinburgh on the south side of the High Street and of the old tolbooth between another tenement of his on the east and the tenement of umquhile John Soutter on the west,—the said resignation being made in favour of Peter Somervell, merchant and burghess of Edinburgh, and his son Mr Bartholomew Somerville in terms of letters of sale (dated at Edinburgh 4th July then instant) by the said Wm. Somervell in their favor : Which resignation, being made and received, the said bailie gave sasine to the said Peter and Bartholomew in liferent and fee respectively of the foresaid tenement built by Joseph Marjoriebankis. Witnesses to the sasine : Robert Arbuckle, James Maknacht and James Andersoun, Skinners ; John Mitchell, David Bischope, Robert Notman, William Somervell, and John Jaksoun, serjeandis of the said burgh.

8th April 1635.

133. Instrument of Resignation and Sasine taken on 8th April 1635 in the hands of Thomas M'Kie, clerk, of the diocese of Whithorn, notary public, upon the resignation made by Gilbert Clugistoun, merchant burges of the burgh of Wigtoun, into the hands of Patrick Coltrane, one of the bailies of said burgh, of a half tenement of land fore and back with houses, yard, barn and pertinents lying outside of the west port of said burgh on the north side of the high street, between the land belonging to John Wilkins on the west, and the high street or common vennel of said burgh leading from the said port to the hill called Knockirrahill on the east, in favour of William Clugistoun, merchant, lawful

son of umquhil Michael Clugistoun in Lochcraigoche: Whereupon sasine was given by the said bailie to the said William Clugistoun,—providing that he should pay to the said burgh yearly the sum of 12 pennies Scots as feu ferm for the barn foresaid. Witnesses: John Cunynghame, late provost of said burgh; Patrick Edger, burgess thereof; John Dunbar, notary there; and Alexander Turner, tenant (*cliente*) there.

28th October 1635.

134. Charter of Confirmation by Patrick [Lindsay], archbishop of Glasgow, of two Feu Charters, one dated at Glasgow 14th December 1633, granted by Mariota Drew, daughter of umquhil John Drew of Wester Mukcroft and John Parke her spouse, with consent of William Parke of Rosberriehauche his father, to Malcolm Fleming of Cardaroche, his heirs and assignees, of the 26s. 8d. lands of old extent of Wester Mukcroft, with that part of the mill of Bedlay belonging thereto *pro rata*, lying in the parish of Calder and barony and regality of Glasgow: To be holden of the archbishop and his successors in feu farm for the yearly payment of the feu farm and duties aftermentioned; and the other granted by the said Malcolm Fleming to Jean Hammiltoun, now his spouse, in liferent, of the foresaid lands and part mill, dated at Hammiltoun 7th June 1634: Which two Charters and Sasines made thereupon and also the heritable feu right granted by the late King James VI. to the late Mr Ninian Drew, grandfather of the said Mariota Drew and father of the said John of the foresaid 26s. 8d. land, etc., contained in a charter by the said King James in favour of the tenants and feuars of the barony and regality of Glasgow in Baddermonoke and Cuikes Wairdes without any diminution of the old rental or conversion of fruits or victual into money, dated at Edinburgh 2nd January 1595 and sasine following thereon, and also all other charters, dispositions and infeftments made to the said Ninian and Mariot Drew by whatsoever persons, are thereby ratified: And further for the greater security of the said Malcolm and his spouse, with consent of the dean and chapter of the Metropolitan Kirk of Glasgow, *de novo*, granting and confirming in feu farm to the said Malcolm Fleming and Jean Hammiltoun and the longer liver of them the foresaid 26s. 8d. lands and others: To be holden *de nobis*: Rendering therefor yearly the sum of 23s. 2d. Scots, with 1 boll of malt, 1 boll of horse oats, and 2 bolls of oatmeal for the dry multure of said mill, 3 capons and 2 poultry between the feasts of the Nativity and the Annunciation with all other services due from said lands aucht and wont, and 8 pennies yearly: Giving 3 suits also at 3 principal courts of the said barony and regality to be held yearly within the city of Glasgow and compearing at all other courts thereof when required and warned thereto: Containing a precept of sasine directed blank. Written by Robert Drew, notary in Glasgow. At the archbishop's Castle of Glasgow, 28th October 1635. Witnesses: Dr James Eliot, minister in Glasgow; Mr Alexander Lindsay, the archbishop's servitor; the said Robert Drew, notary; and Mathow Rowand, his servitor. (Signed) Pa. Glasgouen; Magister Jacobus Hammilton, Decanus; M. A. Forbes, Cancell.; J. Hay, Renfrew; M. J. Bell, Eglisname; W. Birsbane, Erskine; Jo. Strang, Govan; M. Thomas Bannatyne, Douglas; P. H. [Hamilton], Cambuslang; M. J. Lindsay, Carstairs; W. Annand, Ayr; M. A.

[Alexr.] Ánderson, Carnwath ; M. A. [Alexr.] Reid, Ashkirk ; M. R. [Robert] Watson, Cardross ; M. Arch. Maklachlane, Luss ; M. James Gillespie, Killern. J. Eliot, *testis* ; A. Lindsay, *testis* ; R. Drew, *testis* ; Matheus Rowand, *testis*.

Two seals :

- (1) The archbishop's (injured). Apparently the same seal as used by him when bishop of Ross (8th February 1630 *ante*) with legend and initials altered. Legend (caps.): SIGILLVM PATRIC ARC GLASGVENSIS MA Initials P.^AG. Oval: $3 \times 2\frac{1}{8}$ in.
- (2) Chapter seal entire: The representation of a church (intended for the cathedral?) with central tower and spire with weathercock, a salmon naiant; also towers at each end. Legend (caps.): SI. CAPITVLI. ECLIAE. METROPO. GLASGV. Oval: $2\frac{1}{8} \times 1\frac{1}{8}$.

22nd August 1639.

135. Instrument of Sasine taken on 22nd August 1639 in the hands of Patrick Byres, clerk, of the diocese of Glasgow, notary public, in favour of Grissil Weir, spouse of James Weir, younger of Kerse, daughter and heir of umquhil John Weir, portioner of Auchtigemmell, of the 26 shilling and 8 penny lands of old extent of Auchtigemmell sometime occupied by the said John Weir and his spouse Marian Hammiltoune, lying in the barony of Lesmahagow ; and also the 10 shilling lands in Middilholme sometime occupied by Thomas Porter with commony in Dunsyd, in the parish of Lesmahagow, sherifffdom of Lanerk : On a precept of clare constat dated at Hammiltoun 15th October 1638 directed by James, marquis of Hammiltoune, earl of Arran and Cambridge, Lord Aven and Innerdail to John Allexander, tenementar burgess of Hamiltoune, bailie in that part. [Witnesses to the precept: sir John Hamiltoun of Orbestoun, knight, clerk of justiciary ; Gavin Hamiltoun of Raploche ; James Baillie of Carnebrew, doctor of laws ; and Bartholomew Robertoun, writer in Hammiltoune.] Witnesses to the sasine : John Weir of Bogsyd ; Robert Allane, writer in Natherfut ; John Gotherell in Auchtigemmell ; and John Sleige, servitor of the said James Weir. Recorded at Hammiltoun, 29th August 1639.

24th January 1642.

136. Charter granted by John Eastoun of Broompark with consent of his interdictors Robert Pringill, writer to the signet, and Mr John Cant, in implement of a contract (of the same date) between him and his consenters on the one part, and his brother Mr James Eastoun of Coustoun on the other part, by which Charter he sells to the said Mr James Eastoun his heirs and assignees whomsoever, an annualrent of 80 lib. furth of the 50s. land of Scottinflat *alias* Broompark, and 2 merks worth of the lands of Wodsyde, in the barony and regality of Torphechane and sherifffdom of Linlithgow : To be holden *de me* for payment of 1d. in name of blench farm : Redeemable on payment of £1000. At Edinburgh, 24th January 1642. Witnesses : Mr John Pringill, son, and Mr William Henrysone, servitor to the said Robert Pringill. Written by Robert Pringill also son to the said Robert Pringill the elder. Signed by the granter, his interdictors and the witnesses.

No seal has been attached.

14th August 1642.

137. Charter granted by the said John Eistoun of Broompark, with consent of his interdictors (who are not named and do not sign) in implement of a contract of the same date between him and his brother James Eistoun of Cowstoun,—by which Charter (in consideration of 2120 merks) he sells to the said James, his heirs and assignees whomsoever, an annualrent of 169 merks 6s. 8d. furth of the lands of Scottinflat *alias* Broompark and the lands of Wodsyde as before described: To be holden *a me* of his immediate superior for payment of 1d. in name of blench farm: Redeemable on payment or consignation of the said sum of 2120 merks: Precept of sasine directed blank. At Edinburgh, 14th August 1642. Witnesses: Mr James Cheyne, writer to the signet; Thomas Jaffray, his servitor; Mr William Henrysone, writer in Edinburgh; and John Finlay, servitor of the said John Cheyne. Signed by the granter and witnesses.

No seal attached.

15th August 1642.

138. Charter of Sale in the same terms as the preceding, by the said John Eistoun of Broomepark with consent of his interdictors John Cant and Robert Pringill: To be holden *de me*. At Edinburgh, 15th August 1642, before the same witnesses as the preceding.

No seal.

Indorsed with a Memorandum dated 19th September 1642 that James Hamiltoun, servitor to the ladie Ballinereiff, as bailie in that part, gave sasine of the above annualrent to Mr James Eistoun, in presence of John Tailzeour in Coustoun, John Gillon there, Alexander Bischope in Broomepark, and Patrik Caldwell servitor to the said Mr James. Signed by James Cheyne, notary.

18th August 1642.

139. Warrant under the Privy Seal of Charles I. directed to sir David Cuninghame, knight and baronet, receiver general of that part of the royal revenue which belonged to the King when Prince of Wales, and to the treasurer and receiver general of the said revenue for the time being, for the payment to William Smith, one of H. M. Messengers in Ordinary, whom the King had appointed to attend his son Prince Charles, of the daily fee or allowance of 2s. 6d. commencing from the feast of the Annunciation of the Blessed Virgin then last past. Given at the palace of Westminster, 18th August A.R. 18 [1642]. (Signed) Wm. Hawkins, Dpt., John Chapman.

Privy Seal of England (part wanting): Quarterly—I. and iv. France and England quarterly, II. Scotland, III. Ireland; encircled by the Garter with motto. Above, a closed crown with initials C.R. at sides. Beneath, two lions sejant guardant, each holding an ostrich feather. Legend (caps.): CAROLVS DEI GRATIA MAGNÆ BRITANNIÆ FRANCIÆ ET HIBERNIÆ FIDEI DEFENSOR, &c. Diam. 3 $\frac{1}{16}$ in.

20th February 1645.

140. Charter granted by John Eistoun of Broomepark with consent of his interdictors Robert Pringill, writer to the signet, and Mr John Cant, in implementation of a contract between him and them on the one part and his brother Mr James Eistoun of Coustoun on the other part,—by which Charter he disposes to the said James Eistoun his heirs and assignees whomsoever, the foresaid lands of Scottinflat *alias* Broomepark and the lands of Wodsyde as previously described: To be holden *a me*: Redeemable on payment of 3900 merks. At Edinburgh, 20th February 1645. Witnesses: Alexander Steill, son of John Steill of Manuall; Hugh Somervail, merchant burges of Edinburgh; and James Allane, servitor to the said Robert Pringill.

No seal has been attached.

20th February 1645.

141. Charter in the same terms as the preceding, with a *de me* holding.
No seal attached.

31st May 1654.

142. Charter of Sale by Robert, earl of Nithisdail, lord Maxwell, Eskdail and Cairrell, to Johnne Williamsone, merchant burges of Drumfreis and Jonet Marteine his spouse, and the longer liver of them, in liferent, and to their eldest son Johnne Williamsone younger, his heirs and assignees whomsoever in fee,—of a portion of land extending to 8 acres with the meadow and pertinents called Suffolkhill *alias* Gourlayis Croft, in the parish of Troquair, barony of Drumsleit and stewartry of Kirkeudbrycht, then possessed by William Howat at Bridgend of Drumfreis and formerly belonging to John Maxwell of Cowhill, by whom it was resigned. At Drumfreis, 31st May 1654. Witnesses: William Maxwell of Killilung and Thomas Craufurd, writer, Drumfreis.

No seal.

13th January 1655.

143. Charter of sale by John, earle of Hadintoun, lord Bynning and Byres, etc., to Johnne Kiringtoun in Caldstreame, his aires and assignais quhatsoever,—of a house and half ane yaird in Caldstreame, bounded by the Abbey-close on the south, the street that lies to Tweed on the east, and James Meines yard on the west, with the parsonage and the vicarage teind, lying in the barony of Caldstreame and sheriffdom of Berwicke: To be holden of the granter his heirs and successors in feu ferme: Paying therefor 20s. yearly, and bringing their haill cornis to the mill of the Nook. Dated at Tynninghame, 13th January 1655. Witnesses: Mr Johnne Drumond of Lennoch and Gideon Jackson, the earl's servitor.

The seal gone.

6th April 1655.

144. Supplementary Disposition granted by John Halyburtoun second lawful son to umquhil James Halyburtoun, skipper in Leith, whereby without prejudice to a previous disposition granted by him to William Haliburtoun

merchant burges of Edinburgh (who had died before obtaining infeftment thereon), he dispones to Alexander Halyburtoun eldest son and heir of the said William, his heirs and assignees whomsoever, a tenement of land, fore and back, with yard, well and pertinents in the town of Leith on the south side of the water thereof within the barony of Restalrig and sheriffdom of Edinburgh, bounded betwixt the lands of John Mortoun upon the north, the lands sometime pertaining to umquhil George Ker thereafter to the said John Mortoun on the south, the common vennel called the Lumbreikis Street on the west, and another vennel going to the kirk of Leith on the east. Dated at Edinburgh, 6th April 1655. Written by William Gray, servitor to Alexr. Beatoun, writer to the signet. Witnesses: William Beatoun and William Broun, also his servitors. (Signed) Jo. Haliburtoun.

16th July 1658.

145. Charter under the Great Seal of Oliver, Lord Protector of the Commonwealth of England, Scotland and Ireland, with consent of the commissioners of Exchequer in Scotland, in favour of John Leete, collector of the customs and excise for the port and precinct of Leyth, his heirs and assignees whatsoever,—of the lands of Easter Grantoun and Goldinrigs, with the manor place, coals, coal heughs thereof and the “wraik wair” as well within as without the seafood, bounded by the burn called Grantoun burne as the same runs to the sea from the lands of Murehous on the west, the lands of Muirhous and Piltoun on the south, the lands of Wairdie and Wairdie burne on the east and the sea on the north, with salmon and other fishings within the seafood, lying within the sheriffdom of Edinburgh,—on the resignation of James Jonkene, merchant burges of Edinburgh: Under reversion as contained in a contract between John Leete and James Jounkene, dated 2nd July then instant: To be holden *de nobis* for the duties aucht and wont: Containing a precept of sasine directed to the sheriff of Edinburgh and his deputies. At Edinburgh, 16th July 1658.

The Great Seal of the Protector is attached, entire.

Obverse.—On horseback to dexter, bareheaded, in plate armour, with sash over right shoulder and sword by side. The right hand holds a baton resting on the saddle, while the left holds the reins. In the background beneath is a view of Edinburgh from the south, with the Firth of Forth and Fife in the distance. Above the horse's tail is an ornamental shield bearing arms: A saltire (Scotland) with a shield surtout bearing a lion rampant (Cromwell). Legend (caps.): OLIVARIUS. DEI. GRA. REIP: ANGLIÆ. SCOTIÆ. ET. HIBERNIÆ, &c., PROTECTOR. Outer border of leaves. Diam. $5\frac{3}{16}$ in.

Reverse.—On an ornamental panel a shield bearing arms: A saltire (Scotland) with a shield surtout bearing a lion rampant (Cromwell). Above the shield a helmet front face with a closed crown, and thereon a lion passant to dexter, guardant, crowned. Motto on an escroll beneath: PAX QVÆRITVR BELLO. Supporters: a lion rampant, guardant, crowned, and a griffin segreant. Legend (caps.): MAGNVM. SIGILLVM. SCOTIÆ. 1656. Outer border of leaves. Diam. $5\frac{3}{16}$ in.

Laing I. 77-8.

24th January 1661.

146. Instrument of resignation and sasine taken on 24th January 1661 in the hands of Johnne Dunbar, clerk, of the diocese of Whitherne, notary public and common clerk of the burgh of Wigtoun, upon the resignation made by William Clugistoun late bailie of the burgh of Wigtoun in the hands of Hew Kynneir, bailie of the same, of an acre of beir land callit Lichtland lying among the burrow ruids of the burgh of Wigtoun upon the south side of the same, betwixt the acre of beir land pertaining to Johnne M'Keand elder, burgess of said burgh on the west, and the highway that leads from the same burgh to the ford of Bladheuch upon the east, in favor of Johnne Stewart merchant burgess of Wigtoun and Jonet Clugistoun daughter of the said William, future spouses, and the longest liver of them, and the heirs to be lawfully procreated betwixt them, in implement of their marriage contract of the date of the sasine: Whereupon sasine was given by the bailie to the said John Stewart and Jonet Clugistoun. Witnesses: William M'Kie of Maidland; Patrick Coltrane, late provost of Wigtoun; George Stewart, late bailie there; Alexander and Johnne Stewarts, sons to Fischill (Physgill), Alexander Reid, Archibald Blaine and Johnne M'Clellane, town officers.

1st March 1661.

147. Letters Patent under the Great Seal of Charles II. constituting sir William Bellenden, knight, treasurer depute, comptroller, and treasurer of the new augmentations of Scotland for all the days of his life, with all the privileges, rank and emoluments belonging thereto, as sir James Carmichael or his predecessors had for the same office: Granting to him therefor the annual salary of £1500. At Whythall, 1st March 1661, A.R. 13.

Part of the Great Seal remains. See Brit. Mus. Seals, No. 17,223.

29th July 1664.

148. Charter of Confirmation and Novodamus granted by Alexander, archbishop of Glasgow, of (1) a charter (dated 7th November 1627) granted by umquhil William Morrane, portioner of Barboy to umquhil Herbert Biggar in Marglollie, his heirs and assignees, of the half of one merk's worth of old extent of the lands of Barboy with the pertinents lying in the barony of Bishop Forrest, parish of Kirkcudbright, and (2) a charter (dated 25th May 1637) granted by the said Herbert Biggar in Marglollie to Herbert Biggar his eldest lawful son and Jonet Maxwell his spouse, the longer liver of them, and to heirs to be procreated between them, whom failing to the nearest lawful heirs of the said Herbert (the son), of 6s. 8d. worth of the lands of his 10s. land of Barboy and pertinents; and to the said Herbert (the son), his heirs and assignees whomsoever, of the remaining 3s. 4d. worth of the said 10s. land, and confirming also the sasines following on said charters: Containing a Novodamus to the said Herbert his heirs and assignees of the said 10s. lands: To be holden *de nobis*: Paying therefor yearly 25s. 6d., being the former feu-duty, and in addition the sum of 6d. as an augmentation thereof, with half the labour of a horse for turfs and in harvest: Giving also suit and service at the courts of the barony of Bishop Forrest. At Edinburgh, 29th July 1664. Witnesses: Mr Andrew Burnett, writer, Edinburgh, and James Smith his servitor. Written

by M^r William Innes, writer, Edinburgh. Subscribed by the archbishop and the dean and chapter of his metropolitan church (John Hay, archidiaconus ; John Haliburton, Roxburgh ; Penman (?), Marbotle ; and M^r David Johnstone, persone of Moffat) and the witnesses.

Seal gone.

24th March 1665.

149. Instrument of Resignation and Sasine taken on 24th March 1665 in the hands of John Dunbar, clerk, of the diocese of Whithorn, notary public, upon the resignation made by George Stewart, late bailie of the burgh of Wigtoun as procurator for Andrew Hannay of Vennell of Wigtoun and Margaret Hannay his spouse into the hands of Adam Kyneir, bailie of said burgh,—of two tenements of land fore and back with houses, yards and pertinents commonly called the Vennall, one of which was lately possessed by M^r Archibald Hamilton, minister of Wigtoun, and then by James Sofflay and William Corri tenants thereof, and the other possessed by William Campbell, lying on the north side of said burgh between the tenement belonging to the heirs of John Cunynghame provost of the said burgh on the south, the common vennell from said burgh to the hill called Knockshirreffhill on the west, the tenement called Anderwoods [Andro Wood's ?] tenement on the north, and the tenement and yard belonging to James Keir, burgess of said burgh, on the east ; the peat muir belonging to said tenement within the burgh muirs, then possessed by Alexander Dalill ; an acre of barley land called M'Doncan's Acre among the burghal roods on the north side of the said burgh between the lands of Kirkland Fey on the east, the croft called Lochanmoor on the south, an acre of land called Lindsay's Acre on the west, and the acres called Fyve Acres belonging to William M'Kie of Maidland on the north ; an acre of land called Matland adjacent to the said last-mentioned acres ; two tails or half acres of land lying on the west boundary of the burgh, one on the south and the other on the north side of the road leading from said burgh to Fanteonblaw which were disposed by umquhile Patrick Hannay provost of Wigton to umquhile William Clugstoun father of William Clugstoun after designed ; and a half acre of barley land lying within the said burghal roods on the north side of the burgh between the lands of Roger Gordoun of Balmeg on the west and the half acre belonging to umquhile John Cunyngham on the east : Which resignation being received the said bailie gave sasine thereof to William Clugstoun, merchant burgess of Wigtoun, his heirs and assignees whomsoever : Proceeding on a Disposition containing procuratory of resignation (dated 20th December then last by past) by the said Andrew Hannay and spouse. Witnesses to the Sasine : Adam M'Kie, provost of the said burgh ; Alexander M'Cracken, James Turner and Alexander M'Connell, burgesses thereof ; and Archibald Blain and Walter Anderson, burgh tenants (*clientibus*).

28th July 1665.

150. A Remission under the Great Seal in favour of Robert Howie in Glentore for the crime of adultery committed with his servant Jonet Johnstoun. Produced and admitted in iusticiary at Glasgow, 2nd May 1671, and again 9th October 1679.

19th March 1680.

151. Instrument of Sasine taken on 19th March 1680 in the hands of John Eastoun, clerk, of the diocese of Edinburgh, notary public, in favour of Mary Eastoun lady Costoun, — of an annualrent of 218 lib. 14s. or such other annualrent as may for the time and by the laws of the realm correspond to the sum of 3645 lib. 12s. advanced by the said Mary Eastoun to her son Walter Sandilands of Costoun "by and attour the guidis and geire" contained in the confirmed testament of the deceased William Sandelands his father intromitted with by her, also for behoof of the said Walter, — furth of the said lands of Coustoun and Broomparke, in the parishes of Bathgate and Torphichen: Proceeding on the precept of sasine directed to James Tayloure in Costoun as baillie in that part, contained in a heritable bond (dated at Edinburgh, 28th February 1680) granted by the said Walter Sandilands: Sasine given on the ground of said lands to William Tayloure in Baymure as attorney and in name of the said Mary Eastoun. Witnesses: Patrick Walker, tenant in Costoun; William Hamiltoun his servitor; James Nimo there; William Jack, weaver in Boigcoatte; and Alexander Airthoure there.

With certificate of registration in the particular register of sasines on 22nd April 1680, on presentation by Mr Duncan Forbes, writer in Edinburgh. Signed by sir John Foulis, clerk to the keeper of said register.

23rd July 1711.

152. Instrument of Resignation and Sasine taken on 3rd July 1711 in the hands of William Bell, notary public, of the diocese of Glasgow, and clerk of the burgh of Linlithgow, in favour of Jannet Laing, eldest daughter of the deceast John Laing, shoemaker in Edinburgh, and spouse to James Storie, merchant burges of Linlithgow, in liferent, — of the half, consisting of 2 dwelling houses, of a tenement of land on the north side of the High Street of Linlithgow; on the clause of resignation contained in a marriage contract between the said James Storie and Jannet Laing, dated 1st January 1698; the other half of the said tenement being set apart by the said James Storie for the use of James and Andrew Stories, his children by his deceased spouse Elizabeth Distoun: Nicoll Wilsons, one of the town officers of Linlithgow, procurator for the resigner. George Bell, baillie of Linlithgow, giver of sasine. Witnesses: John Graham, merchant in Linlithgow; George Muirhead, one of the town officers; and John Levin, servitor to the notary. Recorded in the burgh register of sasines, 27th July 1711.

26th June 1716.

153. Instrument of Resignation and Sasine taken on 26th June 1716 in the hands of Adam Watt, clerk of the burgh of Edinburgh and notary public, in favour of George Dalrymple, W.S., Edinburgh, upon the resignation made by Richard Strachan, writer in Edinburgh, as procurator for Mr James Reid sometime of Northbrae, appointed under letters of sale granted by him with consent of his spouse Elizabeth Bannerman in favor of Mr Patrick Midletown, writer in Edinburgh, for himself and as trustee for Alexander Cunningham eldest son and heir of Mr Alexander Cunningham one of the

regents of the College of Edinburgh and others, creditors of the said James Reid (dated 2nd May 1711 and registered in the Burgh Books of Edinburgh 20th June 1712), of a dwelling house in the first storey of a back land which sometime belonged to Hector Rae burgess of Edinburgh, lying in Stewart's Close, on the north side of the High Street of Edinburgh, with the cellar belonging to said house ; which resignation was made in the hands of Thomas Dundas one of the bailies of Edinburgh who thereupon gave sasine of the said dwelling house and cellar to the said Geo. Dalrymple. The resignation and sasine proceed on (1) a Disposition and Assignment dated 20th June 1712 by the said Patrick Midletown to Charles Crockett, merchant, Edinburgh : Disposition and Translation by him dated 3rd December 1712 to James Hutcheson, W.S., Edinburgh ; Disposition and Translation by him with consent of his spouse Margaret Scougall, dated 17th November 1715, to Mr George Hutcheson of Munkwood, advocate ; and disposition and assignation by him, dated 10th March 1716 to the said George Dalrymple. Witnesses : Thomas Blair, John Forbes, Thomas Brown, William Cocheran, and Alexander Ritchie, printers in Edinburgh.

Registered in the Burgh Register of Sasines same date.

21st December 1720.

154. Instrument of Sasine taken on 21st December 1720 in the hands of John Broun of the diocese of Glasgow, notary public,—on the sasine given by John Ker, glazier in Kelso, to Thomas Chatto of Mainhous, late bailie of Kelso, of a half tenement of houses with the pertinents, betwixt the close of the land of umquhil James Greive now pertaining to William Waldie younger, boatman in Kelso, on the east, the High Street on the west, and David Jamieson's tenement on the north, with the pertinents, lying in the burgh of Kelso and sheriffdom of Roxburgh : Proceeding on a Disposition dated at Kelso 8th October 1720 by Robert Murray, cordiner in Kelso, apparent heir to the deceased James Greive, merchant in Kelso his grandfather, and to the deceased Robert Murray his uncle, to the said Thomas Chatto. Witnesses to the Disposition : Thomas Kennedy, skinner in Kelso ; William Kennedy, merchant there ; and the said John Broun, writer. Witnesses to the sasine : John Dickson, notary in Kelso ; John Ker, wright, brother-german to James Ker ; and John Tulloch, servant to said John Broun, notary. [In the vernacular.]

Recorded in the particular register of Sasines for Roxburgh, Selkirk and Peebles, at Jedburgh 4th February 1721.

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